The Solicitors' Journal

and Weekly Reporter.

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Current Topics.

A Ministry of Justice.

WE PRINTED a month ago and commented on (*ante*, pp. 264, 276) the address of the President at the recent meeting of the Law Society, in which he urged the establishment of a Ministry of Justice. The resolution to this effect which he moved, and which was carried, directed that a copy of the resolution should be sent to the Prime Minister and other persons, including the Minister of Reconstruction. We gather from the correspondence between Dr. ADDISON and Mr. GARRETT, which we print elsewhere, that Dr. ADDISON was asked to receive a deputation from the Council of the Law Society on the subject, but action is already being taken which, for the present, makes this step unnecessary. It appears that there exists, as part of the organization of the Ministry of Reconstruction, a Machinery of Government Committee, of which Lord HALDANE is chairman, and that Committee has already considered the problems covered by Mr. GARRETT'S address. Lord HALDANE is himself a supporter of the proposal, and Mr. GARRETT, in his address, referred to Lord HALDANE'S statements before the Civil Service Commission, that "if the Lord Chancellor did his work properly, two Lord Chancellors would not get through the work which devolves on one"; and "You will never solve the great problem which you have until you set up a Minister of Justice." With the President and Council of the Law Society prompting the Minister of Reconstruction, and with Lord HALDANE already set to deal with the question, it looks as though something really may be done.

The Solicitors (Qualification of Women) Bill.

WE REPRINT elsewhere from the *Times* the report of the speech made by Lord BUCKMASTER on Tuesday in moving the second reading of the Solicitors (Qualification of Women) Bill. We suggested last year (61 SOLICITORS' JOURNAL, p. 553) that for practical purposes the question was materially affected by the acceptance by Parliament of female suffrage, and we notice that Lord BUCKMASTER also puts this forward as a leading con-

sideration. It appears that the Council of the Law Society have sent to the Peers a memorandum indicating the reasons for their opinion, which is said to be shared by the law societies of Manchester, Liverpool, and Birmingham, that the Bill should not be proceeded with at the present time. We have not seen this memorandum, but probably it is similar to that sent a year ago, which we printed at the time (61 SOLICITORS' JOURNAL, p. 326). The objection is not to the Bill as such, but to proceeding with it now. On the other hand, the Committee to Obtain the Opening of the Legal Profession to Women have sent to the Peers a memorial petitioning for support of Lord BUCKMASTER'S Bill, and among those who have signed the memorial are Mrs. HENRY FAWCETT, Mrs. HUMPHRY WARD, Mrs. SIDNEY WEBB, and Mrs. H. A. L. FISHER. The memorial urges that behind the petition stands the united support of the organized women of the country.

The Admission of Women.

IF THE water was not running so rapidly under the bridges, it would, no doubt, be a good argument that Parliament should wait till the solicitors now with the forces return; but, in fact, their return will not affect the question, and the argument is one to which Parliament is not at all likely to listen. Nor is the question one to be discussed and decided on any abstract principles, or by reference to the wishes and convenience of the male sex. Possibly we regret the spacious days of Queen ELIZABETH, when women were not allowed on the stage. More certainly we have a preference for the days—less roomy, perhaps, but more comfortable—of Queen VICTORIA, when both branches of the profession were sure that woman's place was "in the home," and did not do so badly for themselves. No doubt the world went very well then—for some people. But the world and the people in it have the most unfortunate tendency to change, and what Herr VON KUHLMANN calls this "wretched war" (*ante*, p. 327) has increased the tendency a hundredfold. There you have it in a nutshell, and after what we have said on former occasions, we await with interest the result of the Council's opposition to the Bill.

Registration of Firms and Directors and Requirement as to Particulars of all Business Occupations.

WE CALLED attention recently to the inconvenience caused by the Registration of Business Names Act, 1916, s. 3 (1) (*d*), which, in the case of registration of a firm, requires information to be given of all the business occupations of each partner; and to the corresponding requirement introduced by the Companies (Particulars as to Directors) Act, 1917, that similar information shall be given as to directors, with the obligation to notify any changes in this respect. This is considered by the Board of Trade to require directors to register under each company all their directorships; and although the Board have had their attention called to the inconvenience of these requirements, they consider that the Act must be strictly enforced, though, as far as can be seen, the information is not required for any of the purposes of the Acts. We see from an answer given in Parliament by Mr. WARDLE on Monday, which we print elsewhere, that the Board are acting on the opinion of the Law Officers, and we have already expressed our own opinion that technically the Board are right. Moreover, the Board of Trade, it is said, have no power to waive the requirements of the Act; but the Committee recently appointed to consider amendments in the Companies Acts is to be asked to advise as to the expediency of altering the law. This will give the chance of the matter being properly considered.

Law Societies and Their Centenaries.

IT APPEARS that we were quite wrong last week in suggesting that the Birmingham Law Society was the first to have attained its centenary. In fact it comes ninth on the list, and the more ancient societies will be found in the letter which we print elsewhere from Mr. MUSGROVE, the acting hon. secretary of the Birmingham Law Society. For considerations of space we are glad not to have received rebukes from all the societies whose claims we have unwittingly ignored, but we are glad to print the letter from Mr. A. JEFFERAY MAWER, who tells us that the Somerset Law Society was 100 years of age in 1896, and he asks if we were asleep in that eventful year. We have referred back, and must confess that the event does not seem to have got into our columns, and we have now to tender our congratulations twenty-two years late. And from Mr. HERBERT H. SCOTT'S letter it appears that the Gloucestershire and Wiltshire Incorporated Law Society completed its century on 17th October last, and he sends us an interesting pamphlet containing Notes on the History of the Society during the period. We are glad to receive it, but we lay no claim to omniscience, and in general we have not the means of recording matters of local interest unless some correspondent is good enough to send them.

The Gloucestershire and Wilts Incorporated Law Society.

THE Gloucestershire and Wilts Society was formed by sixteen attornies and solicitors, who met at the King's Head Inn, Gloucester, on 17th October, 1917, for the purpose of forming a Law Association. Mr. HENRY WILTON was voted to the chair, and resolutions establishing and regulating the society were passed. Two years later it undertook work of a benevolent character, and passed a resolution "that the objects of this society be distressed members of it, and also such other distressed attornies and solicitors who are resident in the county and city and their respective families." In the same year—1819—the constitution of the society was elaborated, and further regulations introduced. The first record of its benevolent work was in 1821, when a sum of £20 per annum was voted to the widow of a deceased member "so long as her son should remain at school"; and the allowance continued till 1826, when he attained sixteen years, "being now qualified to be put out"; but this did not end the society's generosity, for in the same year £120 was advanced from its funds to pay the boy's stamp duty on articles. Turning to the ordinary work of the society, an agent in London, Mr. WILLIAM VIZARD, was appointed in 1827 to examine and report on Bills in Parliament; in 1828 a petition was presented by the society to the House of Lords praying for alterations in the Bankruptcy Laws and an Improvement in the Status of Solicitors in Bankruptcy proceedings; in the same year a resolution was passed against judges and counsel compelling the reference of causes at Assizes; in 1831 a resolution was passed against a General Registry of Deeds; in 1845 a resolution was passed against providing by Conditions of Sale that the purchaser should employ and pay fees to the vendor's solicitor; in 1873 a general form of Conditions of Sale was adopted; in 1879 the practice of printing an annual report was commenced; in 1883 the society, which included several members from Wiltshire, was incorporated under its present name; and, to conclude on a personal note, which will appeal to many of our readers, in the report for 1912-13 is contained an appreciation of the services to the society and the profession generally of the late Mr. ROBERT ELLETT. A publication like this is not only interesting in itself, but is a welcome reminder of the useful work done by the provincial law societies, from which, as the case of Mr. ELLETT shews, come not infrequently the leading members of their profession.

Audience at Appeal Tribunals.

THE Court of Appeal have followed up the somewhat unfortunate decision of *Re Parton* (32 T. L. R. 476) by another judgment of similar effect in *Re Henry Sparrow* (*Times*, 5th inst.). Both these important tribunal cases concern the right of an applicant for exemption to be heard orally, in person or by his advocate, before a tribunal which has seisin of his case. In the former case, PARTON had obtained leave from the Surrey Appeal Tribunal to carry his appeal to the

Central Tribunal, and in accordance with the practice of that tribunal had sent a statement of his case in writing; the Central Tribunal considered this, refused to hear him orally, and delivered their decision on the written evidence before them alone. The Court of Appeal held that the Central Tribunal could do this; the rules of "natural justice," which every court must observe, do not compel a semi-administrative body to hear applicants orally as of right. Now, in the case of the Central Tribunal, no Military Service Regulations prescribe the procedure to be followed; but in the case of the inferior Tribunals, Local and Appeal, their procedure is laid down in the Military Service Regulations, 1916. These Regulations provide for a "public hearing," subject to an irrelevant exception, of any "application before them" (Part I. (2), Reg. 4, and Part II. (1), Reg. 1). Moreover, they provide that "the applicant may conduct his own case, or may be represented by any person appointed by him for that purpose" (Part I. (2), Reg. 16). It would seem to follow that in every case before a Local or Appeal Tribunal the person asking for exemption is entitled to be heard orally. But in *Re Henry Sparrow* (*supra*) the Court of Appeal held that this is not so; the right conferred by the Regulations is limited to "applications" before the tribunal. Where an applicant asks for a "re-hearing" of his case on the ground of "new facts," &c., which he can do by giving notice under Part III. (2) of the Regulations, his request is not an "application," and he is not entitled to a public hearing or an oral hearing at all. The tribunal, on reading his notice, can, in the exercise of their discretion, refuse leave to apply for a re-hearing, though it seems undoubtedly hard that the applicant should not have the chance of arguing his case.

Cancellation of Contracts by Waiver.

THE DECISION of a question of fact is often one of the hardest parts of a judge's duty; where, for instance, the essential point of a case turns upon the evidence of the contracting parties, who in good faith give diametrically opposite accounts of the matter in dispute. In such circumstances a judge can only rely on the probabilities of the case, notwithstanding the maxim, *facta probata non probabilia cogunt judicium*, unless he is fortunate enough to find a presumption of law or fact on which he can base his finding in the absence of proof to the contrary. *Lambie* v. *Cunard Steamship Co.* (*Limited*) (*Times*, 28th ult.) neatly illustrates this difficulty. In 1912 the defendant company gave the plaintiff an order for fifty semi-collapsible boats of the Chambers type; the boats were to be built and paid for on delivery, so that the contract was clearly executory on both sides until the last of the fifty had been delivered and paid for. In August, 1912, the Board of Trade, in consequence of the celebrated *Titanic* disaster, proposed to revise their rules as to the use of collapsible boats, and pending the issue of the new rules the defendant company asked the plaintiff to discontinue building in the meantime. No more boats were, in fact, delivered, but the plaintiff purchased materials for the purpose of building more. Now here a difference of evidence arose as to what took place. The defendants asserted that in September, 1913, when the Board of Trade at last issued their new rules, the effect of which was to render useless any more boats of the type ordered, both parties agreed to cancel the agreement; as it was an executory agreement, of course, this could be done by mutual waiver. The plaintiff denied any cancellation, saying that he delayed delivery at defendants' request. The only further evidence was correspondence between the parties in September, 1914, in which the defendants treated the contract as cancelled, but the plaintiff made no reply. This looks like an admission by the plaintiff, but he contended that he did not wish to quarrel with a good customer, and so did not think it discreet to contradict. Unable to decide between the parties, BAILHACHE, J.—the very experienced commercial lawyer who tried the case—came to the conclusion that, on all the probabilities of the case, the parties would surely agree to cancel in 1913 a contract the object of which was then defeated, and on this somewhat doubtful principle he found in the defendants' favour.

Loss of Luggage by Railway Company on Journey Partly by Land and Partly by Water.

IN THE case of *Ashton* v. *The London and North-Western Railway Co.* (*ante*, p. 350), heard by the Divisional Court on 6th February, a question as to the application of the Carriers Act was decided which has often come up for consideration in actions in county courts. It is tolerably well known that the Carriers Act, 1830, by section 1 enacts that no common carrier shall be liable for the loss of, or injury to, certain articles, including furs, above the value of £10 unless their value be declared and an increased charge paid. The action was brought in a county court to recover the value of three packages of furs, each package being worth more than £10, which had been delivered to the defendants for carriage from London to Belfast. They were delivered to the defendants in London, but were lost during the journey, and could not be traced beyond the departure platform at Euston Station. There was therefore no evidence as to whether they were lost during the transit by land or by sea. It was admitted that the plaintiff had neither declared the value of the packages, nor offered to pay the increased charge for carriage. In these circumstances the county court judge held that, inasmuch as the transit was to be partly by land and partly by sea, the burthen of proof was on the defendants to show that the packages had been lost on land, and that, the proof having failed, there must be judgment for the plaintiff. Upon appeal to the Divisional Court, the defendants argued that the burthen was on the plaintiff to shew that the defendants had lost the protection of the Carriers Act, and that they could only discharge that burthen by proving that the goods had been lost at sea. The Court, LAWRENCE, J., and SHEARMAN, J., gave judgment for the plaintiff and dismissed the appeal. This decision is not likely to be disturbed. The law appears to be well settled that railway companies are subject to the liability of common carriers with respect to the personal luggage of passengers carried for hire, and the protection of the Carriers Act extends to the luggage of passengers. Where the carrier contracts to carry partly by land and partly by water the contract is divisible, and the protection of the Act applies to the land journey. But, to entitle the carrier to the benefit of the Act, he must prove affirmatively that the luggage was lost during the journey by land, and the difficulty of the proof does not absolve him from his obligation.

Recognition of Governments.

A VERY interesting problem in International Law is at present awaiting solution on the part of the Allied and Neutral Governments—namely, whether or not recognition should be afforded to the Bolshevik Government of Russia. It is a point on which the text books of International Law give very little assistance; but considerations relevant to the subject are contained in Professor OPPENHEIM'S International Law, Vol. I., pp. 120, 121. That learned jurist points out that a distinction must be drawn between four quite separate matters, namely, (1) the recognition of a State as an independent Power; (2) the recognition of a revolting part of a State as a belligerent, but not an independent, Power; (3) the recognition of a revolutionary Government as the *de jure* sovereign of a State whose independence has previously been recognized; and (4) the recognition of some change in the style or title of the sovereign of a country—*e.g.*, when the King of Prussia became German Emperor in 1871, and the King of England Emperor of India. The third problem is the one of immediate interest.

As a matter of fact, there is little or no authority on this third point—namely, the recognition of a new or revolutionary Government. There is plenty of authority on the recognition of independence on the part of a nation previously subject to another. The ruling instance of this is the case of the South American Republics, which gave the opportunity for CANNING to enunciate in State papers and speeches the prin-

ciple applicable to the matter. Put briefly, this is, that a new State will always be recognized by the civilized nations of the world when it fulfils either of two conditions: (1) if it secures recognition of its independence from its previous suzerainty—*e.g.*, the United States in 1775; or (2) when it has completely and finally driven the latter out of its territories, although the formal acknowledgment of independence has not yet come—*e.g.*, the South American Republics in 1825. A most interesting discussion of recognition as actually granted in these cases, and in those of Belgium, Serbia, and Roumania, is contained in Sir WILLIAM HARCOURT'S "Letters of Historicus," 1-3.

Recognition of belligerency is even better known to international lawyers, because it was discussed so fully between Lord JOHN RUSSELL and U.S. Secretary of State SEWARD in the famous case of *The Trent*. In that case, it will be remembered, civil war was raging between the Federal and Confederate States of America. The Confederate States sent diplomatic agents to England; the U.S. Federal Government had blockaded the coasts of the South, and seized the agents on board their steamer. A dispute arose between the British and American Foreign Offices as to the right of these agents to diplomatic immunity; we claimed such immunity for them on the ground that they were the accredited agents of a belligerent State to a neutral country, and insisted that their seizure was a violation of neutrality. Finally, the U.S. Government gave way and released the envoys, although without acknowledging that they had no right to seize them. But ever since jurists have been unanimous in holding that a *de facto* belligerent Power is entitled to be recognized as such by neutral States, even although it has not won independence, and even if it ultimately fails to win such independence.

As regards the fourth point—change of title—the matter is of little practical importance, although in the eighteenth and early nineteenth centuries, when petty princelings coveted the dignity of "King," it gave great occasion for searching of hearts in the chancelleries of Europe. But the remaining question, that of the date when a revolutionary Government is entitled to recognition, is likely again and again in the twentieth century to become a burning one, and merits the careful consideration of jurists. But beyond a suggestion by Prof. OPPENHEIM (*ubi supra*, p. 121), that such recognition may either be express or tacit, and that tacit recognition occurs whenever, in fact, an outside Power carries on any substantial intercourse with the revolutionary Government, there is not very much authority upon the point. As a matter of fact the difficulty has been twice faced in recent times by the civilized powers of the world; ten years ago, in the case of the Serbian Royal murders, when King PETER was refused express recognition, but received tacit recognition from the European Powers; and five years ago, in the case of Mexico, when HUERTA murdered MADERO, and secured European, but not United States, recognition of the legitimacy of his Government.

There is, however, one suggestion we would ourselves like to make on the point. We conceive that the question which arises at a successful revolution is not different in principle from that which arises every day on the death of one monarch and the succession of another. In such case our Government recognizes the successor on receiving (1) intimation of the fact of a demise of the Crown, and (2) satisfactory evidence that the new monarch has in fact been accepted by his country as the heir. In practice, the latter question does not arise; the consensus of opinion on the point is clear. The intimation on both points reaches us through the Minister of the Power in question accredited to us, and on receiving it our Foreign Secretary instructs our Ambassador to visit the new monarch and offer at once condolences and congratulations. This visit is a tacit recognition of the new monarch as the sovereign of the new State.

But let us suppose that the succession to the foreign throne is disputed, and that a civil war or other proceedings to settle the dispute takes place in the foreign country. Here we should doubtless act on the available evidence, and give provisional recognition to the *de facto* possessor of the Government power, unless and until his rival ousted him therefrom. Evidence of the *de facto* possession of the throne, doubtless, would be found in the fact that the occupant was in possession of the seat of Government, and that the Ministers of his country abroad all acknowledged his title without question. Where, however, such Ministers refused acknowledgment, we should probably delay recognition until new diplomatic agents had been sent us by the *de facto* occupant. Suppose, however, a greater change—namely, a complete revolution by force of arms which upsets the sovereign body of the foreign country altogether, and establishes a new authority. What course are we to follow in such a case? The answer seems to be, exactly the same course which we should adopt were the succession to the throne disputed by two or more rival claimants. True, the rival claimants would each claim a *de jure* right to the throne, and would base their respective rights on legal grounds; whereas the revolutionary Government exists in despite of its country's previous constitutional laws, and claims only a *de facto* right based on a moral claim. But to foreign States that distinction is immaterial; they are not concerned with the municipal law of the country and its legal interpretation. What concerns them is the *de facto* possession of power, and the ability to exercise it effectively against the world at large in the face of opposed internal partisans. Evidence of this is enough to give a *primâ facie* claim to recognition. And the same tests should be applied as in the case of a disputed succession to the throne—namely, ability of the *de facto* Government to hold in reasonable permanence the seat of its country's Government, capacity on its part to communicate with foreign Powers, and the necessity on the part of their agents to secure passports and protection from the *de facto* Government while within its territories. The case seems to be strengthened when the displaced Government disappears altogether, and thereby loses any title to continued recognition by foreign Powers.

Lease for the Duration of War.

WITH reference to the contractual obligations created by a lease, BLACKSTONE tells us that an "estate for years is frequently called a term, *terminus*, because its duration or continuance is bounded, limited, and determined: for every such estate must have a certain beginning, and certain end. . . . A lease for so many years as J. S. shall live is void from the beginning; for it is neither certain, nor can ever be reduced to a certainty, during the continuance of the lease. And the same doctrine holds if a parson make a lease of his glebe for so many years as he shall continue parson of Dale; for this is still more uncertain. But a lease for twenty or more years if J. S. shall so long live, or if he shall so long continue parson, is good, for there is a certain period fixed beyond which it cannot last; though it may determine sooner on the death of J. S., or his ceasing to be parson" (2 Black. Com. 143). And it is orthodox to go a step further, and say that all the contractual obligations expressed in the agreement or lease, so far as they are dependent on, and not independent of, the estate demised, would at the same time be *nudum pactum* (*Capenhurst* v. *Capenhurst*, Sir T. Raym. 27; *Hayne* v. *Maltby*, 3 Term Rep. 438; *Northcoat* v. *Underhill*, 1 Salk. 199).

These pieces of black letter, and—shall we say?—very possibly forgotten, learning Mars has, *inter multa alia*, recently revivified, and brought into prominence and utility. For instance, in *Great Northern Railway Co.* v. *Arnold* (33 Times L. Rep. 114), we observe that, in the spring of 1916, the plaintiff underlet premises to the defendant "for the period of the war" at a weekly rent without obtaining the ground landlord's licence. The landlord subsequently refused a consent, or confirmation, and threatened proceedings. In this dilemma the plaintiff gave the defendant notice to quit, and then brought an action to recover possession, and submitted that, on the principle aforesaid, the agreement created at most a weekly tenancy—possibly, indeed, only a tenancy at will. The learned judge, however, held that, as there was a clear mutual intention that the tenancy should be for the period

of the war, effect must be given to that intention, and that thus the plaintiff could not recover possession. Now, it is evident that, at the present time, the suggestion of incertitude in so familiar a phrase is a matter of vital importance. It may be somewhat difficult to detect from the report the authority upon which the learned judge in truth proceeded; but the case reminds one of *Re King's Leasehold Estates* (16 Eq. 521), *Cheshire Lines Company* v. *Lewis* (50 L. J. Q. B. 121), and that class of case, shewing that a tenant with an agreement to remain for a stated indefinite time may not be liable to disturbance, and that his position seems the better if the landlord has a term and not the fee. But if we were asked to express an opinion as to the correct practice, we should unhesitatingly say it is to neglect these cases, to observe the traditional and scientific doctrine mentioned by BLACKSTONE, and to express the contract in the shape of an agreement, or lease, for so many years determinable on the war ending, the death of a certain person, or the other event contemplated. Seek, and ask for, the old paths, for, in this case, that lies the better way.

Such ancient law is doubtless caviare to the general. Still, if BLACKSTONE sin, he sins in good company. He cites COKE (Co. Litt. 45b); and MATTHEW BACON'S Abridgment (L. 3, 835), SHEPPARD'S TOUCHSTONE (274-5), and PLOWDEN'S Commentary (p. 271) are not silent; while, in modern times, PLATT (Vol. 2, 69 *et seq.*) has, as usual, an able and full dissertation. It is surely obvious that a terminus connotes certainty; and we may observe that a possible or casual certainty—*e.g.*, a lease until a child *en ventre sa mère* shall attain one and twenty—will not suffice. And, looking at the matter from another aspect, in order to bring the case within the requirements of the Statute of Frauds, it is essential that there should be an agreement which specifies the extent of the term: *Fitzmaurice* v. *Bayley* (9 H. L. Cas. 78). Nearly a hundred years ago a plaintiff let premises, at rents varying in amount at the end of every three years, until Midsummer, 1839, and from and after that year at a specified rent to the end of the term, but no particular period for the determination of the lease was mentioned. BEST, C.J., upon the authority of PLOWDEN (*ubi sup.*), held the instrument to be a lease up to Midsummer, 1839, only: *Gwynne* v. *Mainstone* (3 Car. & P. 302). Hence, apparently, a contemplated demise for years may be effectual for part of the period, *i.e.*, in so far as it is certain and prefixed, and ineffectual as to any remainder, on the ground of uncertainty. Those who are interested in the subject will do well by consulting, and mastering, Mr. PLATT'S lucid and enlightening dissertation.

Treaties and Peace Negotiations.

THE Brest-Litovsk negotiations which we have recently summarized had not the result which the Russian delegates hoped for, but the declarations as to "self-determination" made on both sides were worth placing on record, and they may yet have an influence on the final arrangement of Europe. The question was as to the bodies by whom the self-determination was to be expressed: in the Russian view by a referendum of the whole people; in the German view by the existing Government organizations, pending the placing of representation on a broader basis. We need not here consider which is, theoretically, the more reasonable view. The practical considerations are too weighty to allow theory much chance, and there is an impression that the German view is influenced, not so much by the theory of "the abhorred vacuum"—the fear that to sweep away the existing bodies in Courland and elsewhere would leave chaos—as by the fact that the existing bodies are under German control. This is a matter as to which it is not easy to obtain reliable information. But for the present the negotiations are—to quote a recent Russian phrase—only a "sad memory," while the practical outcome of the business is to be found in the three treaties, those with Russia, the Ukraine, and Roumania, the last being at present only provisional. Whether or no the others will be revised as part of the peace settlement is a question for the future to decide.

At the same time, the more general peace negotiations—if we may so style them—go on. We gave recently in some detail an account of the then latest statements of the war aims of Great Britain and the United States (*ante*, pp. 171, 188, 209, 228), but there has been a good deal happening since. There was Count HERTLING'S speech in the Main Committee of the Reichstag on 24th January, in which he professed agreement in principle with several of Mr. WILSON'S fourteen points (*ante*, p. 229), and declared against the forcible annexation of Belgium, but refused interference as regards Russia, or to be "robbed" of Alsace-Lorraine. There was Count CZERNIN'S speech of the same day, in which he declared that he demanded not a square metre nor a kreuzer from Russia, and said he was convinced the fruit of peace was maturing, though Austria-Hungary would defend the pre-war possessions of her Allies as her own; and, dealing *seriatim* with Mr. WILSON'S points, he professed his agreement with them in the main. There was Mr. WILSON'S reply, in his speech to Congress on 11th February, in which he recognized the friendly tone of Count CZERNIN'S reply, who "seems to see the fundamental elements of peace with clear eyes, and does not seek to obscure them"; but Count HERTLING'S reply he found "very vague and very confusing. . . It is full of equivocal phrases, and leads us it is not clear where." And he said:

> "After all, the test of whether it is possible for either Government to go any farther in this comparison of views is simple and obvious.
>
> "The principles to be applied are these:—
>
> "First, that each part of the final settlement must be based upon the essential justice of that particular case and upon such adjustments as are most likely to bring a peace that will be permanent.
>
> "Second, that peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game, even the great game now for ever discredited of the balance of power; but that,
>
> "Third, every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims amongst rival States.
>
> "Fourth, that all well-defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe, and consequently of the world.
>
> "A general peace erected upon such foundations can be discussed. Until such a peace can be secured we have no choice but to go on."

Then there was the "Memorandum on War Aims" adopted by the Inter-Allied Labour and Socialist Conference in London towards the end of last month, published in full in the *Times* of 25th February. There was the further speech of Count HERTLING in the Reichstag on 25th February, in which he repeated that there was no thought of retaining Belgium or of making the Belgian State a component part of the German Empire, but it must not become "an object or jumping-off ground for enemy machination." There was Mr. BALFOUR'S reply to Count HERTLING in the House of Commons on 27th February, in which he recurred to the unprovoked attack on Belgium, demanding an unconditional restoration, and charged Count HERTLING with not putting his own principles into practice as regards Alsace-Lorraine and the Ukraine. And, lastly, there is Lord LANSDOWNE'S further letter to the *Daily Telegraph* of the 5th inst., in which he finds in Count HERTLING'S last speech a perceptible advance to an understanding.

Taking separate speeches, the advance may not be very perceptible; but taking all the recent speeches together, it is permissible to hope that on all sides there is an increasing tendency to bring the present disastrous state of Europe to an end. It is important to observe that Mr. BALFOUR repudiates the idea that the Versailles Conference had any authority to make a declaration prejudicial to peace negotiations, and he also speaks quite distinctly of an international court, armed with executive power, so that the weak may be as safe as the strong, as the ideal "for which we all long."

Books of the Week.

Criminal Law.—Archibald's Pleading, Evidence and Practice in Criminal Cases. By Sir JOHN JERVIS, late Lord Justice of the Common Pleas, with the Statutes, Precedents of Indictments, &c. 25th Edition. By HENRY DELACOMBE ROOME and ROBERT ERNEST ROSS, Barristers-at-Law. Sweet & Maxwell (Limited); Stevens & Sons (Limited).

Digest.—Mews' Annual Digest of English Case Law for 1917, containing All the reported Decisions of the Supreme Courts, including a Selection from the Scottish and Irish. By JOHN MEWS, Barrister-at-Law. Sweet & Maxwell (Limited); Stevens & Sons (Limited).

Criminal Appeal Cases.—Report of Arthur Thompson's Case in the House of Lords: December 3 and 4, 1917, January 24, 1918. Edited by HERMAN COHEN, Barrister-at-Law. Stevens & Haynes. 7s. 6d. net.

Correspondence.

The Meaning of "Parents" in a Will.

[*To the Editor of the Solicitors' Journal and Weekly Reporter.*]

Sir,—Referring to your note on the rule of construction in wills, whereby the word "parent" is restricted to its ordinary meaning of father or mother, it may be of interest to observe that in the Probate Registry the word is apparently treated as including grandparents, and even great-grandparents. This appears from the form of oath by a nephew or cousin-german applying for administration; for though a grandfather seems to be entitled to administration before a nephew, and a great-grandfather before a cousin-german, yet the applicant only swears that the deceased died "without parent." TALON.

March 5.

A Ministry of Justice.

We have received from the Secretary of the Law Society for publication a copy of the following correspondence which has passed between the Minister of Reconstruction and the President of the Law Society with regard to the latter's proposal for the establishment of a Ministry of Justice.

"Ministry of Reconstruction,
"2, Queen Anne's Gate Buildings,
"Westminster, S.W. 1.
"13th February, 1918.

"DEAR MR. GARRETT,—I have deferred sending a full reply to your letter of the 28th January until I had an opportunity of reading the reprint of your interesting address on 'A Ministry of Justice and Its Task,' which you were so good as to send me, and of consulting Lord Haldane, who, as I think you know, is Chairman of a Committee which will report to this Department, and to which questions of the kind raised in your address have been referred in the first instance for consideration and report.

"The terms of reference to this body, which is known as the Machinery of Government Committee, are 'to inquire into the responsibilities of the various departments of the central executive Government, and to advise in what manner the exercise and distribution by the Government of its functions should be improved,' and I understand from Lord Haldane that the Committee have in fact already devoted a considerable amount of time and attention to the discussion of the particular problems covered by your address.

"It seems to me, therefore, that without in any way questioning your view that it may be advantageous for me to learn the views of the Council of the Law Society by means of a deputation, I can for the moment best secure that full weight is given to your proposals by asking the Chairman of the Machinery of Government Committee to arrange that they are discussed by the Committee before a report is made to me on this part of the general survey of central administration which the Committee have been asked to make.

"I have, therefore, referred your proposals to Lord Haldane for this purpose, and I feel sure that you will agree that, in the light of the considered judgment of the Committee, which will be embodied in their report, I shall be in a better position to give full weight to the specific proposals which are, if I may say so, so ably set out in your address.

"Yours very truly,
"CHRISTOPHER ADDISON.

"The President of the Law Society,
"Chancery Lane, W.C."

"18th February, 1918.

"DEAR DR. ADDISON,—I have to thank you for your very courteous and encouraging letter of the 13th inst.

"That letter shows that the object which the Council of the Law Society had in moving in the matter of the appointment of a Minister of Justice has been in large part attained. That object was to bring to the attention, first of the Government, and next of the public, their view that drastic reforms are necessary in the education and organisation of the legal profession and in legal procedure and administration, if the profession is to do its duty to the public to its own satisfaction and to the satisfaction of those whom it serves, and that the essential preliminary to those reforms is the appointment of a Minister of Justice. Your letter is an assurance that this view will receive due consideration from the Government, and that being so the Council agree that it is unnecessary to press their request at present that you should receive a deputation on the subject. If at a later stage you should think it useful to discuss the matter with the Council by means of a deputation or otherwise, I need not say that we shall be always at your service.

"Meantime, as a means of informing the profession and the public of the present position of the question, I should like, with your permission, to publish in the legal papers your letter and this reply. Kindly let me know if you have any objection to this.

"I am, yours very faithfully,
S. GARRETT, President.

"The Right Hon. Christopher Addison, M.D., M.P.,
"Minister of Reconstruction,
"2, Queen Anne's Gate Buildings, S.W. 1."

"Ministry of Reconstruction,
"2, Queen Anne's Gate Buildings,
"Westminster, S.W. 1.
"26th February, 1918.

"DEAR MR. GARRETT,—I am desired by Dr. Addison to thank you for your letter of the 18th February, regarding the correspondence as to the appointment of a Minister of Justice.

"Dr. Addison has no objection to the publication in the legal papers of his letter of 13th February and yours of the 18th.

"Yours faithfully,
"(Signed) PERCY BARTER,
"Private Secretary.

"The President of the Law Society,
"Chancery Lane, W.C."

The Ages of Law Societies.

[*To the Editor of the Solicitors' Journal and Weekly Reporter.*]

Sir,—With reference to the paragraph in your "Current Topics" of the 2nd inst., referring to the history of this society, I am afraid that my society can only claim to come ninth on the list in order of age.

According to my information, the following are the dates of the foundation of the first nine Provincial Law Societies:—

The Bristol Law Society	founded	1770
The Yorkshire Law Society	,,	1786
The Somerset Law Society	,,	1796
The Sunderland Law Society	,,	1800
The Devon and Exeter Law Society ...	,,	1808
The Manchester Law Society	,,	1809
The Plymouth Law Society	,,	1815
The Gloucestershire and Wiltshire Law Society	,,	1817
The Birmingham Law Society	,,	1818

ARTHUR MUSGROVE, Acting Hon. Secretary.

The Birmingham Law Society, Birmingham.
March 5.

[*To the Editor of the Solicitors' Journal and Weekly Reporter.*]

Sir,—You ask your readers to tell you if any society is older than the Birmingham Law Society. Why, sir, Somerset Law Society attained its majority before the Birmingham babe was thought of, or, at any rate, before it had its first squeal! And the Somerset Society celebrated its centenary in 1896 under distinguished patronage and such a blowing of trumpets as never was. Was THE SOLICITORS' JOURNAL asleep in that eventful year? I can assure you that the event was "fittingly commemorated," though the echoes never seem to have reached the office of your distinguished journal. Still, I am sure that Somerset is interested in the little Brummagen cousin, and will be glad to hear that it is growing up so nicely and is industrious.

A. JEFFERAY MAWER.

Wells, Somerset, March 4.

[*To the Editor of the Solicitors' Journal and Weekly Reporter.*]

Sir,—Referring to your reference in "Current Topics" of this week to the history of the Birmingham Law Society and your inquiry as to the age of other societies, I beg to send you copy of notes on the history of this society, published in October of last year, from which you will see on the first page a note of such societies as were in existence one hundred years ago. I ascertained this by direct inquiry of all existing societies.

I am sorry that I did not send you a copy of our history sooner.

HERBERT H. SCOTT, Hon. Secretary.

Berkeley House, Gloucester, March 2.

[See under "Current Topics."—ED. *S.J.*]

CASES OF THE WEEK.

Privy Council.

"THE SUDMARK—CARGO EX." Jan. 22, 24; Mar. 1.

PRIZE LAW—CAPTURE OF SHIP AND CARGO—SHIP TAKEN INTO PORT AND HANDED OVER TO PROPER OFFICER—CARGO REMOVED FROM SHIP WITHOUT LEAVE OF PRIZE COURT—SUBSEQUENT DAMAGE TO CARGO WHILE STORED—ALLEGED BREACH OF DUTY—ACTION FOR DAMAGES.

An enemy ship was captured in the Red Sea by B., the captain of H.M.S. Black Prince, *and taken to Alexandria. There B. handed her over to G., the Marine Controller, who, without obtaining an order from the Prize Court, removed the cargo from the ship and stored it in sheds on the quay. A fire broke out in the sheds, and part of the cargo was destroyed.*

In an action by the claimants, owners and shippers of the cargo, to recover damages for the part of the cargo destroyed by fire, the Egyptian Prize Court held G. liable on the ground that, having removed and stored the cargo without first obtaining leave, he had been guilty of a breach of duty owed by him to the plaintiffs. B. was also held liable on the ground that he acted wrongly in handing over the ship, and since G., in removing the cargo, acted as his agent.

Held, that there was no absolute rule of international law which prevented B. from handing over the ship, and further, that had G. applied for leave to remove the cargo, it certainly would have been granted. The cause of the loss had nothing, therefore, to do with the alleged breach of duty, and judgment must be entered for both appellants.

Duties of executive officers toward the owners of property seized as prize, and rights of the Crown in such property, considered and explained.

Appeal from a judgment of Judge Grain, of the Supreme Court of Egypt. On 15th August, 1914, the German steamship *Sudmark* was captured in the Red Sea by H.M.S. *Black Prince*, commanded by Captain Gilpin Brown, R.N. She had a general cargo, which included a large quantity of copra consigned to Hamburg, and 2,000 tons of barley consigned to Antwerp or Hamburg. The vessel was brought through the Suez Canal by Captain Brown to Alexandria, and there handed over by him to the Marine Controller, who caused the cargo to be unloaded and stored in sheds belonging to the Egyptian Government. A fire occurred in the sheds, and a considerable part of the copra was burnt. What was left of the copra after the fire was, in the course of the proceedings for condemnation of the ship and cargo, released with the consent of the Procurator-General to the respondents, who claimed as owners, and subsequently brought an action in the Prize Court against Captain Brown and the Marine Controller (Lieutenant Grogan), the present appellants, to recover the loss caused by the fire. In the action the latter had been held liable on the ground that he had committed a breach of duty towards the respondents in causing the cargo to be unloaded and stored ashore; and the former had been held liable on the ground that Lieutenant Grogan was his agent in causing the cargo to be landed, or, alternatively, that he was guilty of a breach of duty towards the respondents in handing over the ship and cargo to Lieutenant Grogan.

The appeal by both defendants was heard before Lords PARKER, SUMNER, PARMOOR, WRENBURY, and Sir SAMUEL EVANS. The considered judgment of the board was deliver d by

Lord PARKER, who said the appeal was brought by Captain Gilpin Brown, R.N., of H.M.S. *Black Prince*, and Lieutenant E. H. Grogan, R.N., Marine Controller, of the Egyptian Ports and Lights Administration, from a decision of the Supreme Court of Egypt dated 7th December, 1916. He stated the facts as detailed above, and said that until the contrary was proved the enemy character of the cargo would be assumed from the enemy character of the ship. Seizures as prize were made by executive officers of the Crown in the exercise of the Crown's belligerent rights, and the duty of such officers towards the owners of the property seized were duties of the Sovereign, and fell to be determined by international law. But while that was so, the duties of such officers towards the Crown must be determined by municipal law. That distinction was important, because the title of the Crown to the property seized was not complete without adjudication in its favour by the Prize Court. The first duty of the Crown was therefore to preserve the property, that it might be dealt with as the Prize Court might determine. As a matter of practice, it was quite common for captors under the orders of their superior officer to hand the prize over to some other officer of the Crown, to be taken into a convenient port, and it was impossible to hold that such a practice was contrary to international law. Their lordships were of opinion that, on the facts, Captain Brown was fully justified in delivering *The Sudmark* to Lieutenant Grogan. With regard to Lieutenant Grogan, somewhat different considerations arose. His duty towards the cargo-owners was the duty of preserving the property pending adjudication by the Prize Court. Only if, in discharging the cargo, he committed a breach of this duty could he be liable for any loss entailed thereby on the cargo-owners. The Prize Court was the proper tribunal to determine whether the circumstances did or did not justify the discharge according to international law. If Lieutenant Grogan had applied to the Prize Court for leave to land the cargo, the same question would have arisen for determination. If the circumstances were such that the Court, if applied to, would have authorised the discharge of the cargo, the cargo-owners could have suffered no damage by reason of the fact that Lieutenant Grogan did not make any such application. Their lordships could not accept the contention that the necessity for an application to the Court before landing a prize cargo was so clearly a rule of international law that a neglect to make the application must in all cases render the officer responsible for the landing liable for a breach of duty. There could be no reasonable doubt that, if an application had been made to the Prize Court, it would have authorized Lieutenant Grogan to do what he did. Further, even if Lieutenant Grogan were guilty of a breach of duty in not obtaining the leave of the Prize Court to discharge the cargo, it was difficult to see how the damage subsequently incurred by reason of the fire was in any way consequent on such breach. Their lordships were of opinion that the order appealed from was erroneous, and ought to be discharged. They would humbly advise his Majesty that the appeal ought to be allowed, with costs here and below.—COUNSEL, on behalf of the Crown, for the appellants, *Sir Gordon Hewart*, S.-G., and *Wylie*; for the respondents, various parties interested in the cargo, *Leslie Scott*, K.C., and *Dunlop*; for the shippers, *Leck*, K.C., and *A. M. Talbot*. SOLICITORS, *Treasury Solicitor*; *Linklater, Addison, & Brown*; *Thomas Cooper & Co.*

[Reported by ERSKINE REID, Barrister-at-Law.]

Court of Appeal.

REX (ON THE PROSECUTION OF LEON GEORGES SACKSTEDER) v. SUPERINTENDENT OF POLICE AT CHISWICK. No. 2.
Feb. 11, 19, 20.

ALIENS—DEPORTATION—SHIP—SELECTION OF DESTINATION BY HOME SECRETARY OF DEPORTEE—ALIENS RESTRICTION ACT, 1914 (4 & 5 GEO. 5, C. 12), S. 1 (1)—ALIENS RESTRICTION (CONSOLIDATION) ORDER, 1916, ART. 12 (2).

By Art. 12 (2) *of the Aliens Restriction (Consolidation) Order*, 1916, *where an alien is ordered to be deported, he may, until he can, in the opinion of the Secretary of State, be conveniently conveyed to and placed on board a ship about to leave the United Kingdom, be detained in such manner as the Secretary of State directs.*

A French subject within military age, who was required to be placed at the disposal of the French military authority, agreed to receive his passport to go to France to join the French Army on a certain day. He failed to present himself, and the Home Secretary, under powers given him by the Aliens Restriction Act, 1914, *and orders made thereunder, ordered his deportation during the continuance of the war. He was arrested under the order, and taken to a police station for the purpose of being sent to Southampton. He thereupon applied for a rule* nisi *for a writ of* habeas corpus. *The Divisional Court discharged the rule, holding that the question was covered by the decision in* Rex *v.* Home Secretary, Ex parte Duke of Chateau Thierry (61 SOLICITORS' JOURNAL, 367; 1917, 1 *K. B.* 922). *The applicant appealed upon the ground that all the above case decided was that a deportee could not select his own ship, but left the further question whether the Home Secretary had power to select a ship and thus, in fact, deliberately deport him to a particular destination.*

Held, that the Home Secretary had an absolute discretion to select the ship, and that his selection of one going to a destination objected to by the deportee was not ultra vires.

Appeal from an order of a Divisional Court discharging an order *nisi* for a writ of *habeas corpus*. The applicant Sacksteder, a French subject within military age, was required to be placed at the disposal of the French authorities for military service. He attended at the French Consulate upon due notice on 3rd April, 1917, and promised to attend there on 11th April to receive his passport and to go to France to join the French Army. He did not attend, and on 22nd July, 1917, the Home Secretary, under the powers given him by the Aliens Restriction Act, 1914, and Art. 12 of the Aliens Restriction (Consolidation) Order, 1916, ordered that the applicant should remain out of the United Kingdom during the continuance of the war. On 29th June, on instructions issued by the Home Office, the applicant was arrested and taken to Chiswick Police Station for the purpose of sending him to Southampton. The rule *nisi* was thereupon applied for, and pending the hearing Sacksteder was allowed bail. The Divisional Court considered that this case was covered by the case of *Rex* v. *Home Secretary, Ex parte Duke of Chateau Thierry* (61 SOLICITORS' JOURNAL, 367; 1917, 1 K. B. 922), and discharged the rule. The applicant appealed.

PICKFORD, L.J., in giving judgment, said that the applicant had been arrested on instructions given to the police by Mr. John Pedder, C.B., an Assistant Secretary in the Home Office. Those instructions were given under the general directions of the Home Secretary that any person named in a deportation order which was to be enforced immediately should be arrested and placed on board a ship selected for his passage, and there detained until the ship sailed. The question was whether this case was entirely covered by the decision of the Court in the *Duke of Chateau Thierry case*. Now it would be impossible to give effect to Art. 12 (2) of the Aliens Restriction (Consolidation) Order, 1916, if the alien could select the ship for himself. The case referred to only decided that a deportee could not select the ship by which he was to leave the United Kingdom. But the point left open by that decision was whether the Secretary of State, by selecting a ship, had thereby given him the power to send a man to a particular destination. The legislature, when dealing with the return of undesirable aliens to their own country, did not contemplate a case where such a return was the

result of a conviction. In his view, while the Aliens Restriction Act, 1914, and reg. 12 (2) of the Consolidated Order, 1916, made under section 1 (1) of that Act, gave the Home Secretary thus indirectly the power to deport an alien to a particular destination, the Home Secretary must give the necessary instructions for the arrest of the alien. General directions would not be sufficient; that was most important. In the *Duke of Chateau Thierry's case* the Court laid it down that, where a deportation order was regular on the face of it, the Court ought not to go behind it to inquire whether it was made *bona fide* or from some ulterior motive. It might be possible that in some cases an order was made not *bona fide*, but was a "sham" order. In his opinion, in such a case the Court could go behind the order, though regular on the face of it, for the purpose of investigating the matter. In the present case there was no ground for making any such investigation into the deportation order, which was perfectly good, and proper directions having been given for the applicant's arrest, the rule *nisi* was rightly discharged, and this appeal failed.

WARRINGTON and SCRUTTON, L.JJ., agreed in the result. Order accordingly.—COUNSEL, for the applicant, *R. C. Hawkin;* for the Crown, *Sir F. Smith*, A.-G., and *Branson*. SOLICITORS, *C. Gordon Coxwell; Treasury Solicitor.*

[Reported by ERSKINE REID, Barrister-at-Law.]

WINTERBOTHAM, GURNEY, & CO. *v.* SIBTHORP AND ANOTHER. No. 1. 22nd, 25th and 26th Feb.

PRACTICE—APPEAL—MOTION FOR JUDGMENT OR NEW TRIAL—NO EVIDENCE TO SUPPORT FINDING OF JURY—POWER OF COURT OF APPEAL TO ENTER JUDGMENT.

The Court of Appeal is not at liberty to usurp the functions of a jury, and to reverse their decision on questions of fact where there is some appreciable evidence both ways; yet, when all the facts have been ascertained, and there is no prospect of adducing further evidence if the case is re-heard, and the evidence adduced can only lead to one reasonable conclusion and is uncontradicted, if the verdict of the jury on that evidence is seen to be quite unreasonable, the Court of Appeal is not bound to direct a new trial, but is at liberty to draw its own conclusions, and to enter judgment for the opposite party.

Allcock *v.* Hall (1891, 1 *Q. B.* 444) *applied.*

Appeal by the plaintiffs from a verdict and judgment at a trial before Lush, J., and a special jury. The plaintiffs, a firm of solicitors, sued as indorsees of a bill of exchange for £1,000, dated 3rd April, 1917, drawn by the defendant Sibthorp and accepted by the defendant Cox. It was proved, and in fact not disputed at the trial, that Cox was induced to sign the bill by fraud, and the only question was whether the plaintiffs were holders for value without notice of the fraud. The plaintiffs' case was that they had taken the bill as security for a loan of £300 advanced to a client named Freeman, whom they were financing in connection with certain patents. Sibthorp had been under an agreement to advance money to Freeman, but one of his cheques was dishonoured, and the plaintiffs, through their agents, Messrs. Elvy Robb & Welch, agreed to advance up to £300 to him upon having the security of the bill, and a guarantee of repayment by Sibthorp. The negotiations were conducted by Mr. Welch, who made inquiries through his bank as to Cox's acceptance, and was satisfied. At the hearing Mr. Welch gave evidence that he had no knowledge of the fraud. It had not been intended to call the plaintiffs, but as their failure to give evidence themselves was commented on, the case was adjourned to enable Mr. Reginald Winterbotham, of the plaintiffs' firm, to be called. He gave evidence that all the negotiations for the loan of £300 were conducted by his agents in London, that he did not know Sibthorp, nor did he know the circumstances in which the bill was accepted by Cox. Lush, J., left the following questions to the jury:—(1) Was Cox induced to accept the bill by the fraud of Sibthorp? (2) Did the plaintiffs give value for the bill? (3) Did they give it in good faith? To the first two the jury answered "Yes," to the third "No." Lush, J., who made a note expressing his strong disagreement with the verdict, entered judgment for the defendant Cox. The plaintiffs appealed.

THE COURT allowed the appeal.

SWINFEN EADY, L.J., having stated the facts, proceeded: It was proved by Cox, and not disputed, that the bill was obtained by fraud. The only question which remained was whether the plaintiffs had acted in good faith. By the Bills of Exchange Act, 1882, s. 90, an act was deemed to have been done in good faith if it was done honestly, whether or not it was done negligently. The third finding of the jury meant that the plaintiffs had given value for the bill dishonestly, and the plaintiffs based their appeal on such a verdict being utterly unreasonable and contrary to all the evidence. No fact was elicited at the trial to throw any doubt upon the plaintiffs' good faith. Cox made an affidavit in which he said that he verily believed the plaintiffs would not have given value for the bill if they had had any knowledge of the circumstances under which it was given. Thereupon the plaintiffs put interrogatories to that defendant in which they asked him how they could have got notice of the fraud. But all he could say was that he put them to prove that they had had no such notice. There was really no allegation that the plaintiffs had had notice, but the judge allowed Mr. Winterbotham to be called after the case had closed and give his evidence. On those facts the plaintiffs asked for judgment, but the defendants said that the most the Court could do was to grant a new trial. Although it had often been said that the Court ought to be very careful not to interfere with the verdict of a jury, in a case where all the facts had been ascertained and the verdict was seen to be quite unreasonable, the Court would draw the proper inference and do justice between the parties. In *Paquin* v. *Beauclerk* (1906, A. C. 148) Lord Loreburn, C., after referring to *Millar* v. *Toulmin* (12 A. C. 746) and *Allcock* v. *Hall* (1891, 1 Q. B. 444), said that in the latter case all the members of the Court of Appeal were of opinion that they were at liberty to draw inferences of fact in cases where the evidence was all one way, and practically uncontradicted. That was a course that ought only to be followed in very clear cases. In *Millar* v. *Toulmin* (12 A. C. 746) there was evidence both ways. But where the evidence was such that only one conclusion could be drawn from it, the Court was bound to draw that conclusion. In the present case the only conclusion that could fairly be drawn was that the plaintiffs had acted in perfect honesty and good faith. The appeal, therefore, would be allowed, and judgment entered for the plaintiffs.

BANKES, L.J., delivered judgment to the same effect, observing that he did not think the jury really disbelieved the plaintiffs, but thought that by answering the third question in the negative they would relieve Cox of a liability into which he had been defrauded. It did not probably occur to them that they were thereby doing more damage to the plaintiffs' reputation than could be measured by £300.

EVE, J., concurred.—COUNSEL, *Sir Ernest Pollock*, K.C., and *Herbert Smith; C. M. Pitman.* SOLICITORS, *Elvy Robb & Welch; Oldman, Cornwall, & Wood Roberts.*

[Reported by H. LANGFORD LEWIS, Barrister-at-Law.]

High Court—Chancery Division

***Re* KIRKLEY. HALLIGEY *v.* KIRKLEY. Sargant, J. 2nd Feb.**

WILL—CONSTRUCTION—VESTED OR CONTINGENT GIFT—LEGACY—"IF AND WHEN" THEY ATTAIN TWENTY-ONE—INTEREST FROM TESTATOR'S DEATH.

A testator gave a legacy of £250 to "each of my grandchildren who shall be born in my lifetime, to be paid to them respectively if and when they shall respectively attain the age of twenty-one years, with interest at the rate of 4 per cent. . . . from my decease."

Held, that these legacies were not vested, but contingent on the grandchildren attaining twenty-one.

Knight *v.* Cameron (1807, 14 *Ves.* 389) *applied.*

The gift of interest from the death of the testator does not make these legacies vested because it is a gift of interest contingent on the happening of the same event, and not a gift of interest in the meantime.

Held, accordingly that the executors must set aside and invest such a sum as would represent the total amount of the legacies plus interest at 4 per cent. on each legacy from every year of the minorities of the legatees.

Re Hall (1903, 2 *Ch.* 236) *applied.*

In this case the testator by a codicil bequeathed certain legacies free of duty, "£250 to my grandson, J. M. Ockleshaw, and £250 to each of my grandchildren who shall be born in my lifetime, to be paid to them respectively if and when they shall respectively attain twenty-one, with interest at the rate of 4 per cent. per annum from my decease." There were five grandchildren of the testator born in his lifetime, all infants, and they and the residuary legatee were made defendants to a summons to determine whether these legacies were vested or contingent. Very many authorities were cited, including *Re Bartholomew* (1849, 1 Mac. & G. 354), *Shrimpton* v. *Shrimpton* (1862, 31 Beav. 425), *Williams* v. *Clarke* (1851, 4 Dr. G. & S. 472), *Knight* v. *Cameron* (1807, 14 Ves. 389), *Lister* v. *Bradley* (1841, 1 Ha. 12), *Hanson* v. *Graham* (1801, 6 Ves. 239), Re Hall (1903, 2 Ch. 236), and Theobald on Wills (7th Ed., at pp. 582, 583, and 588).

SARGANT, J., after stating the facts, said: The legacies to the grandchildren are not vested, but are contingent on their respectively attaining the age of twenty-one years. In Vaughan Hawkins on Wills (1st ed., at p. 226) the following rule was laid down:—"In bequests of personal estate, if the gift and direction as to payment are distinct, the direction as to payment does not postpone the vesting." Counsel has conceded that if the direction as to payment had been "when" the legatee attained twenty-one, the legacy would have been vested. But here the condition as to attaining twenty-one, introduced by the word "if" in the direction as to payment, is not merely personal to the legatee, but affects the original bequest of the money. It cannot be held that a legacy which, owing to the condition attached to the direction for payment, could not be paid to the legatee unless he attained twenty-one, might yet be paid to his personal represeptative if he died before attaining that age. In my opinion the case falls within the principle of *Knight* v. *Cameron* (*supra*), and the gift of the interest does not make the legacy vested. It is not a gift of interest in the meantime, but a gift of interest contingently on the happening of the same event as that on which the principal sum is payable. The executors must be directed to set aside and invest on the principle of *In re Hall* (*supra*) such a sum as would represent the total amount of the legacies plus the interest at 4 per cent. on each legacy for every year of the minorities of the respective legatees.—COUNSEL, *Heckscher*: *Romer*, K.C., and *R. Leiah Ramsbotham; Alexander Grant*, K.C., and *Lavington*. SOLICITORS, *Halligey & Co.*

[Reported by L. M. MAY, Barrister-at-Law.]

Re **BECKETT. PURNELL *v.* PAINE AND OTHERS.** Peterson, J. 7th 8th, and 15th Feb.

SOLICITOR—ACTION—WANT OF AUTHORITY—LIABILITY OF CLIENT FOR COSTS—SOLICITORS ACT, 1860 (23 & 24 VICT. C. 127), S. 28.

Where trustees retained one solicitor A. and he, without their authority, employed another solicitor B. to act as solicitor, but B. was never entered on the proceedings as the trustees' solicitor,

Held, (1) *that there was no contract between B. and the trustees for rendering service on his part nor payment on theirs, and that he had no authority to commence an action as solicitor, and accordingly no right to sue for costs incurred by him in the matter.*

Wray *v.* Kemp (1884, 26 *Ch. D.* 169) *applied.*

(2) *That B. could not have obtained a charging order under section 28 of the Solicitors Act*, 1860.

(3) *That* Hall *v.* Laver (4 Y. & C. 216) *is not authority for saying that the trustees cannot take the benefit of the proceedings.*

This was a summons by trustees to ask the Court what their liability was in the following circumstances:—In 1907 these trustees of the above-named testator's estate, part of which consisted of a brewery, started an action against the assignees of the lease of the brewery for alleged breaches of covenant. They retained S. as their solicitor in the action, and he, without their authority, employed L., another solicitor, to act in the matter, but his name was never entered on the proceedings as the solicitor in the matter. L. suggested a compromise of the proceedings, and while this was in negotiation S. employed N. F., another firm of solicitors, to be his agents. Subsequently, after L. had ceased to act, a compromise was effected which provided that the trustees should bear their own costs, and this compromise was sanctioned by the Court. N. F. carried out the completion of the compromise. The learned Judge found on the facts that the trustees knew nothing of L. until 1912, but L. subsequently claimed his costs and carried in his bill for taxation. The trustees objected that L. had no retainer, and the taxing master adjourned the matter for L. to start an action to recover his costs. L. did not start an action, but served the trustees with a notice not to part with the estate without payment of his costs. Hence this summons.

PETERSON, J., after stating the facts, said: There is no contract between L. and the plaintiffs for rendering service on his part or payment on theirs, and he had no authority for commencing the action as their solicitor: see *Wray* v. *Kemp* (*supra*); and therefore he has no right to sue the plaintiffs for costs incurred in consequence of any retainer or contract entered into prior to the costs being incurred. Neither could he have obtained a charging order under section 28 of the Solicitors Act, 1860, inasmuch as he has not been employed by a client in the proceedings. *Macfarlane* v. *Lister* (1887, 37 Ch. D. 83), *Hall* v. *Laver* (1842, 1 Ha. 571 and 4 Y. & C. Ex. 216) do not support the defendant's contention that the plaintiffs cannot take the benefit of the proceedings and negotiations for a compromise without bearing the costs, for the reports of these cases shew that, although a solicitor properly employed by one client may have a lien for costs on property recovered in which persons other than his clients are interested, yet he has no personal claim or remedy against such persons. Further, in face of the fact that they did not know of L.'s existence until 1912, it is impossible to come to the conclusion that the plaintiffs agreed to treat L.'s assumption of the position of solicitor for them as valid, or that as between them and him he should be deemed to have acted as their solicitor throughout. The facts of the case preclude all question of adoption or ratification on their part. In my judgment L.'s claim fails.—COUNSEL, *Clayton*, K.C., and *Bryan Farrer*; *Maugham*, K.C., and *J. E. Harman*; *F. A. Milne*. SOLICITORS, *Hemsley & Co.*; *P. P. Walker*; *Wedlake, Letts, & Birde*.

[Reported by L. M. MAY, Barrister-at-Law.]

King's Bench Division.

LANCASHIRE & YORKSHIRE RY. CO., LONDON & NORTH-WESTERN RY. CO. AND R. GRAESSER, LTD. *v.* MACNICOLL.

Div. Court. 20th February.

CARRIAGE OF GOODS—RAILWAY—GOODS DELIVERED TO WRONG CONSIGNEE—CONVERSION—REPRESENTATIONS BY CARRIER AS TO NATURE OF GOODS—ESTOPPEL.

Owing to the negligence of the servants of one of the plaintiffs, two consignments of goods, one being carbolic and the other creosote, were wrongly labelled in the trucks, and the carbolic was delivered to the consignee of the creosote, the defendants, at the station. The advice note sent by the railway company to him had stated the contents of the trucks as creosote, but with reasonable care the defendants' carter, who took delivery, would have discovered that he was not taking delivery of the creosote. The defendant used the carbolic, without further inquiry, in his own business, and destroyed its value for the true owners. The delivering railway company, having paid the true owner the value of the carbolic as damages for non-delivery, sued the defendant for the amount they had paid.

Held, that the defendant was liable for conversion to the railway company or to the true owners of the goods, as, although the servants of the delivering railway company were negligent, the company was not estopped by its representations respecting the goods, since no reasonable person could have taken delivery of the carbolic for creosote.

Appeal from the Rhyl County Court. Action on contract, or, in the alternative, in tort for wrongful conversion of six drums of crude carbolic acid of the value of £82. In April, 1916, manufacturers in Yorkshire sent, by the Lancashire and Yorkshire Railway Co., thirty-two iron drums of crude carbolic acid, consigned to Messrs. Graesser & Co., Acrefair, Ruabon. On the same day, and from the same station, there were consigned to the defendant, at Abergele, twenty-five wooden casks of creosote. Of these iron drums of carbolic acid fourteen were labelled wrongly by the servants of one or other of the companies, and were, in consequence, delivered to the defendant, and the wooden casks of the defendant were also wrongly labelled and delivered to Messrs. Graesser. On the arrival of the carbolic acid at Abergele station, addressed to the defendant, he was advised of its arrival there. The defendant sent a carter to the station, and the fourteen iron drums of carbolic acid were pointed out to him as part of his consignment of the creosote. On their arrival at the defendant's premises six of the drums were emptied into the tank used for creosoting, and became spoiled as carbolic acid. The blunder having been discovered, the defendant delivered the remaining eight drums to Messrs. Graesser, who claimed the value of the six drums from the plaintiffs, as common carriers, for their failure to deliver. The railway companies having paid, this action was brought to recover the amount so paid. The plaintiffs contended that the defendant or his servants ought to have discovered the mistake, considering the size and weight and the iron drums for carbolic as distinguished from wooden creosote casks. Creosote had never been sent by the manufacturers in such drums, and with reasonable care he would not have used the carbolic. The county court judge gave judgment for the defendant. He held that there was no conversion of the goods, as the defendant had acted in ignorance of the facts; that the plaintiffs were estopped by their own representation of the facts from claiming against the defendant for conversion; and that the plaintiff companies, in paying Messrs. Graesser, had not discharged a liability of the defendant, but a liability of their own, and therefore could not sue the defendant as for money paid on his behalf. The plaintiffs appealed.

LAWRENCE, J.—The county court judge's decision was wrong. He held that there was no conversion of this carbolic acid, because he thought it was necessary to shew that the defendant had the intention to commit an unlawful act. But conversion may take place though there may be no intention of committing a wrong. The act of conversion consists in using another person's goods as one's own, and the defendant here wrongfully converted Messrs. Graesser's goods. This gave the three plaintiffs in the case the right to sue. There was only one course of action, and only one amount of damages could be recoverable by the three plaintiffs, or by any one of them, and it was not material to discuss the question whether the cause of action at the time was in one or other of them. The companies were liable to Messrs. Graesser for misdelivering the goods, and the company that paid the amount of the claim had the right to maintain the action, not only as bailees, but as having the rights of Messrs. Graesser in them at that time. This entitled the plaintiff companies to recover against the defendant, unless he could shew that they were estopped by their conduct and representations in regard to the goods when they arrived at Abergele. It was not sufficient for the defendant to say that the conduct of the company at Abergele station was negligent, though in fact it was. In order to create an estoppel, the representation relied on must be intended to be acted upon, and such as would induce a reasonable person as consignee to act on it, and, in consequence, convert the goods to his own use. The defendant had not established that there was any such representation in words or conduct on the part of the railway company. The goods were wrongly labelled in the trucks, and the advice note was sent to the defendant purporting to state the contents of the trucks; but the question was whether this advice note was such a representation as would naturally induce a reasonably careful man taking delivery to convey away, and use as his own, those six drums of carbolic, supposing them to be creosote. If the county court judge had put the question to himself in this way he could not have held there was no conversion of these goods. A consignee was not entitled to take anything that might be pointed out to him when he had the invoice to refer to. It was impossible for a person acting sensibly to have taken delivery of drums of carbolic as agreeing with the advice note as to creosote, and the carter was the defendant's own man. The county court judge was wrong in his decision, and the appeal must be allowed.

ATKIN, J. concurred.—COUNSEL, *Disturnal*, K.C., and *Eustace Hills*, for the plaintiffs; *Artemus Jones*, for the defendant. SOLICITORS, *M. C. Tait*; *Sharpe, Pritchard, & Co.*, for *Porter, Amphlett, & Co.*, Colwyn Bay.

[Reported by G. H. KNOTT, Barrister-at-Law.]

According to a Reuter's telegram of the 5th inst., His Majesty's Government is still without any reply from Germany to the intimation of Great Britain, conveyed through the Dutch Minister in Berlin on the 12th ultimo, that, in the event of the two British air officers, Captain Scholtz and Lieutenant Wookey, being made to undergo the sentence passed upon them for dropping leaflets in the German lines, reprisals would be taken. In the event of no satisfactory answer being received, these reprisals will come into operation on Tuesday next.

New Orders, &c.

Supreme Court, England.—Procedure.

THE RULES OF THE SUPREME COURT (COSTS No. 1), 1918.

The Rule Committee of the Supreme Court have made the following Rule.

1. Rule 2 of the Rules of the Supreme Court (Costs) 1917, dated the 11th day of September, 1917, is hereby annulled and in lieu thereof the following Rule shall stand:—

(2) During the continuance of the present war and for a period of six months thereafter the charges specified in Clause 106 shall be further increased from 1s. 7d. to 1s. 10d.

2. These Rules may be cited as Rules of the Supreme Court (Costs No. 1), 1918.

And the Rule Committee certify that on account of urgency the said Rules shall come into immediate operation.

20th February.

Workmen's Compensation Act, 1906.

THE WORKMEN'S COMPENSATION RULES, 1913.

The following paragraph shall be added to Rule 64*a* of the Consolidated Workmen's Compensation Rules, 1913 (Rule of the Workmen's Compensation Rules, 1915), viz.:—

(4) *Payment out of sum under £100 to person entitled to take out administration.*]—Provided that where the deceased dependant died intestate, and it is proved to the satisfaction of the judge that no administration has been taken out to such deceased dependant, and that his assets do not exceed the value of one hundred pounds, including the balance in court, the judge may direct that such balance shall be paid, transferred, or delivered to the person who, being a widower, widow, child, father, mother, brother, or sister of the deceased, would be entitled to take out administration to the estate of such deceased dependant.

1st March.

War Orders and Proclamations, &c.

The *London Gazette* for 1st March contains the following:—

1. An Order in Council, dated 1st March, varying the Statutory List under the Trading with the Enemy Amendment Act, 1916. Additions are made as follows:—Argentine, Paraguay and Uruguay (11); Bolivia (1); Brazil (4); Chile (6); Colombia (15); Costa Rica (37); Cuba (12); Guatemala (11); Hayti and Dominican Republics (1); Honduras (1); Morocco (3); Netherland West Indies (1); Norway (6); Peru (3); Spain (30); Sweden (1); Venezuela (11). There are also a number of removals from and variations in the List, and the usual notices are appended (see *ante*, p. 10). A List (The Consolidated List, No. 46A) consolidating all previous Lists, was published on the 1st February, 1918, which together with List No. 47 of 15th February, 1918, and the present List, contains all the names which up to this date are included in the Statutory List.

2. A Notice that Orders have been made by the Board of Trade under the Trading with the Enemy Amendment Act, 1916, requiring two more businesses to be wound up, bringing the total to 513.

The *London Gazette* of 5th March contains the following:—

3. A Notice, dated 4th March, that appointments have been made to the Military Appeal Tribunals as follows:—County of Nottingham (1); County of Bedford (1).

4. Admiralty Notices to Mariners, dated 1st March, as follows:—

(1) No. 317 of the year 1918 (being a republication of Nos. 88 and 151 of 1918). England, South Coast. (i.) Falmouth Harbour Approach—Traffic Regulations; (ii.) Penzance Bay—Traffic Regulations.

(2) No. 318 of the year 1918 (being a republication of No. 152 of 1918). England, South-East Coast. Dover Channel—Traffic Regulations.

(3) No. 320 of the year 1918 (being a republication of No. 154 of 1917). Scotland, West Coast—Firth of Clyde, Isle of Arran. Lamlash Harbour Entrances—Traffic Regulations.

(4) No. 321 of the year 1918 (being a republication of No. 155 of 1918). Ireland, East Coast. Belfast Lough—Traffic Regulations.

A PROCLAMATION UNDER THE MUNITIONS OF WAR ACTS, 1915 TO 1917.

[Recital of section three of the Munitions of War Act, 1915, as amended by the Munitions of War (Amendment) Act, 1916.]

And whereas a difference within the meaning of the said section exists between employers and persons employed as enginemen and boiler tenters in Cotton Mills in and in the immediate vicinity of the Towns and Districts of Blackburn, Darwen, and Great Harwood, as to rates of wages, hours of work, and otherwise as to terms and conditions of or affecting employment on the work carried on by such enginemen and boiler tenters:

And whereas the Minister of Labour has investigated the matter and the Minister of Munitions, having considered the results of the investigation made by the Minister of Labour and his representations to the Minister of Munitions, is not satisfied that effective means exist to secure the settlement of the said difference without stoppage, being a difference arising on work other than munitions work:

And whereas in Our opinion the existence or continuance of the said difference is directly and indirectly prejudicial to the manufacture, transport, or supply of Munitions of War:

Now, therefore, We, by and with the advice of Our Privy Council, are pleased to proclaim, direct, and ordain, that Part I. of the Munitions of War Act, 1915, shall apply to the said difference.

27th February. [*Gazette*, 1st March.

Orders in Council.

NEW DEFENCE OF THE REALM REGULATIONS.

[Recitals.]

It is hereby ordered that the following amendments be made in the Defence of the Realm Regulations:—

Restriction of Building.

1. In Regulation 8E for the words "Minister of Munitions" there shall be substituted the words "Director-General of National Service," for the word "Minister" there shall be substituted the words "Director-General."

H.M. Stationery Office.

2. After Regulation 8E there shall be inserted the following regulation:—

"8EE. For the purpose of enabling His Majesty's Stationery Office to obtain stores and other articles, and the execution of printing and other work, required for the service of His Majesty and the various Government Departments, the Treasury may by order apply, with the necessary adaptations, to the Controller of His Majesty's Stationery Office the provisions of Regulations 2B, 2BB, 7, 8, 8A, 15C, 29A and 34A, conferring powers on the Admiralty, Army Council, and Minister of Munitions, and the regulations so applied and adapted shall have effect as if they formed part of these regulations."

Confidential Government Documents, &c.

3. In the second paragraph of Regulation 27A after the words "belonging to" there shall be inserted the words "or of any document which has in confidence been communicated by."

Amendments.

4. At the end of Regulation 66 the following paragraph shall be inserted:—

"Where a regulation or provision of a regulation has been amended by the substitution of one Government Department or authority for another as the authority to exercise any power under the regulation or provision the amendment shall not affect any order made, licence or other instrument issued, or action taken in pursuance of the power by the original authority, but any such order, licence or instrument shall until revoked or amended continue in force as if it had been made or issued by the substituted authority, and as if for references in the order, licence or instrument to the original authority there were substituted references to the substituted authority."

27th February. [*Gazette*, 1st March.

[Recitals.]

It is hereby ordered that the following amendments be made in the Defence of the Realm Regulations:—

Maintenance of Food Supply.

1. For sub-section (8) of Regulation 2L the following sub-section shall be substituted:—

"(8) This regulation shall apply to Ireland subject to the following modifications:—

(i) The Department of Agriculture and Technical Instruction for Ireland shall be substituted for the Board of Agriculture and Fisheries.

(ii) The following sub-section shall be substituted for sub-section (1):—

Where the Department of Agriculture and Technical Instruction for Ireland are of opinion that, with a view to increasing the production of food in the country, it is expedient that they should exercise the powers given to them under this regulation as respects any land the Department may enter on and take possession of the land,

(*a*) without any consent, if the land is for the time being unoccupied, or if the Department are of opinion that it is not being cultivated according to the rules of good husbandry;

(*b*) without any consent, if, at any time after the first day of February in any year, it appears to the Department that the occupier of the land has not taken the necessary steps to cultivate the minimum tillage portion of his holding in accordance with the requirements of any Order made by the Department under the Third Schedule of the Corn Production Act, 1917, and applying to the holding;

(*c*) without any consent, if the land is situated in or near a town to which the Towns Improvement (Ireland) Act, 1854, or any part thereof applies or an urban district, and the Department are of opinion that in order to provide necessary food for residents in the locality land in or near that town or district is immediately required for the purpose of being

cultivated in allotments, and that the use of the land for that purpose is unreasonably withheld; and

(d) in any other case, with the consent of the occupier and the person in receipt of the rent of the land,

and cultivate the land or any part thereof, or arrange for its cultivation, by any person in such manner and upon such terms and conditions as the Department may direct.

(iii) For the purposes of this regulation the Department may:—

(a) on entering on any land enter on and take possession of any buildings thereon; and

(b) provide accommodation for persons, machinery, implements of husbandry or plant, farm produce, stock or animals, employed or used by the Department, or by any person authorized by the Department, for the cultivation of land or the increase of the food supply of the country, and for that purpose take or retain possession of any land or buildings.

(iv) Any person authorized by the Department in that behalf may, for the purposes of this regulation and upon the production, if so required, of his authority, enter on and inspect any land or building and inspect any machinery, implements of husbandry, farm stock or produce thereon.

(v) For the purposes of this sub-section the expressions 'cultivation' and 'cultivate' shall have the same respective meanings as in the Third Schedule to the Corn Production Act, 1917, and the expressions 'occupier' and 'unoccupied' refer to such occupation as involves liability to payment of poor rates:

Provided that where the poor rate is made in respect of a half rent under section sixty-three of the Poor Relief (Ireland) Act, 1838, instead of upon the occupier of the land, the land shall not on that account be deemed to be unoccupied.

(vi) Sub-sections (4) and (6) shall not apply.

(vii) The powers conferred by this regulation on the Department shall be in addition to and not in derogation of any other powers of the Department, and all such powers may be exercised concurrently in respect of any land."

Regulation of Haulage.

2. After Regulation 5B the following regulation shall be inserted:—

"5C. Where with a view to prevent congestion of traffic on, or excessive damage to, public highways being caused by the haulage or transport of timber or other heavy material the Army Council consider it is expedient to do so, the Army Council may by order regulate or provide for the regulation of such haulage and transport on public highways outside the administrative county of London, and may by such order provide for directions being given for prescribing the routes to be followed and restricting the types of vehicles to be used, and if any person affected by the order fails to comply with the provisions thereof or with any directions given thereunder he shall be guilty of a summary offence against these regulations."

Restriction on Embarkation.

3. Regulation 14C shall be amended as follows:—

(1) After the words "His Majesty's forces" there shall be inserted the words "or of the forces of any of His Majesty's Allies";

(2) For the words "from one part of the United Kingdom to another" there shall be substituted the words "from one part of Great Britain to another or from one part of Ireland to another."

Reports Prejudicing Recruiting.

4. For paragraph (c) of Regulation 27 the following paragraph shall be substituted:—

"(c) Spread reports or make statements intended or likely to prejudice the recruiting of persons to serve in any of His Majesty's forces, or in any body of persons enrolled for employment under the Army Council or Air Council or entered for service under the direction of the Admiralty, or in any police force or fire brigade, or to prejudice the training, discipline or administration of any such force, body, or brigade; or".

Importation of Firearms, &c.

5. In Regulation 31 after the words "parts of military arms" there shall be inserted the words "military equipment," and after the word "ammunition" there shall be inserted the words "or component thereof."

Explosives, &c., in Harbours.

6. In Regulation 33 for the words "dock harbour" there shall be substituted the words "dock or harbour"; after the words "in possession of" there shall be inserted the words "or have under his control"; after the word "firearms" there shall be inserted the words "military arms, military equipment," and after the words "or ammunition" there shall be inserted the words "or parts or components thereof."

Restriction on Carrying Arms.

7. In Regulation 33A for the words "or military arms" there shall be substituted the words "military arms, military equipment, or ammunition or parts or components thereof."

4th March. [*Gazette*, 5th March.

GOVERNMENT OF IRELAND ACT.

[Recitals.]

It is hereby ordered, that:—

No steps shall be taken to put the Government of Ireland Act, 1914, into operation until the expiration of a period of six months after the termination of the eighteen months and four periods of six months mentioned in the recited Orders, unless the present War has previously ended, nor, if at the expiration of that period the present War has not ended, until such later date, not being later than the end of the present War, as may hereafter be fixed by Order in Council.

27th February. [*Gazette*, 1st March.

SUMMER TIME.

Whereas by the Summer Time Act, 1916, as amended by the Time (Ireland) Act, 1916, it is provided that during the prescribed period in each year in which the former Act is in force the time for general purposes is to be one hour in advance of Greenwich Mean Time; and it is further provided that His Majesty may, in any year subsequent to the year 1916, by Order in Council made during the continuance of the present War, declare the former Act to be in force during that year, and in such case the prescribed period for that year shall be such period as may be fixed by Order in Council:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to declare, and it is hereby declared, that the Summer Time Act, 1916, as so amended as aforesaid, shall be in force during the year 1918, and the prescribed period in that year shall be from two o'clock in the morning Greenwich Mean Time on Sunday the 24th day of March until two o'clock in the morning Greenwich Mean Time on Monday the 30th day of September.

27th February. [*Gazette*, 1st March.

ALIENS AND PROPAGANDA.

[Recitals.]

It is hereby ordered, that the following amendment be made in the Aliens Restriction Order:—

After Article 23 the following Article shall be inserted:—

Prohibition on addressing Meetings or engaging in Propaganda.

"23A. A Secretary of State may by order prohibit an alien from addressing or taking part in meetings, and from engaging in propaganda.

"The order may be absolute or conditional and may be made applicable to all meetings (whether or not the public is admitted thereto) and to all propaganda or to meetings and propaganda of any class or description specified in the order, or to any particular meeting so specified; and any alien to whom the order relates shall comply with the terms thereof."

4th March. [*Gazette*, 5th March.

THE NEW PARLIAMENTARY REGISTER.

Whereas under Section 46 (2) of the Representation of the People Act, 1918 (hereinafter referred to as "the Act") provision is made as follows:—

"Notwithstanding anything in this Act, the first register to be prepared under this Act shall come into force on, and remain in force until, such date as His Majesty may fix by Order in Council, and His Majesty may by any such Order alter, in connection with the first register, any registration dates, including the dates governing the qualifying period, and direct that this Act shall have effect as so altered."

Now, therefore, &c., it is hereby ordered, as follows:—

The first register to be prepared under the Act shall come into force on the first day of October, 1918, and shall remain in force (unless otherwise ordered) until the fifteenth day of March, 1919, and in connection with the first register to be so prepared the registration dates and the dates governing the qualifying period shall, instead of the dates specified in the Act, be the dates specified in the third column of the Schedule to this Order.

SCHEDULE.

REGISTRATION DATES, &c.

Subject-matter.	Date specified in Act.	Substituted date.
End of Qualifying period	15th Jan.—July	5th April
Publication of lists	1st Feb.—August	7th June
Last day for objections to electors' lists	15th Feb.—August	9th June
Last day for claims	18th Feb.—August	5th July
Last day for claims as absent voters	18th Feb.—August	5th July
Publication of list of objections to electors' lists	21st Feb.—August	8th July
Publication of list of claimants ...	24th Feb.—August	13th July
Last day for objections to claimants	7th Mar.—4th Sept.	26th July
Publication of list of objections to claimants (as soon as practicable after)	7th Mar.—4th Sept.	26th July
Publication and coming into force of register	15th April—October	1st October

4th March. [*Gazette*, 5th March.

Admiralty Orders.

ADMIRALTY NOTICES TO MARINERS.

No. 302 of the year 1918.

TO VESSELS TO KEEP CLEAR OF CONVOYS.

Masters of vessels are hereby warned that all Steam Vessels are to keep clear of Convoys that they may meet or overtake.

"War Instructions for British Merchant Vessels" are to be carefully observed. The practice of cutting through a convoy is not permissible.

25th February. [*Gazette*, 1st March.

No. 309 of the year 1918.

UNITED KINGDOM.

Names of Vessels to be displayed on entering Ports.

Notice is hereby given that on and after 1st March, 1918, each and every merchant ship entering a port within the United Kingdom shall display her name painted in white letters on a black board on the side on which she is approaching the Examination steamer and at such other times, and in such manner as may be directed by the Port Authorities.

The name shall be painted in block letters of such size as to enable the name to be read by the naked eye at a distance of twice the vessel's own length, in ordinary clear weather (visibility = 0 in the scale) whether by day or under searchlight beam at night.

Vessels of under 500 tons gross shall display one such board placed over the side in the vicinity of the vessel's bridge.

Vessels of 500 tons gross and over shall display two such boards, one in the vicinity of the vessel's bridge, and the other in the next most conspicuous position over the side.

Note.—The above order does not relieve a vessel of the necessity of complying with the Board of Trade requirements as to the proper equipment of signal flags

26th February. [*Gazette*, 1st March.

Army Council Orders.

IMPORTED WIRE NAILS ORDER, 1918.

In pursuance, &c., the Army Council hereby order as follows:—

1. Notice is hereby given, that it is the intention of the Army Council to take possession of all stocks of Wire Nails imported or to be imported into the United Kingdom.

2. All persons having in their possession, custody or control any stocks of Wire Nails of the description aforesaid, are hereby required to furnish such particulars as to their business as may be required by or on behalf of the Director of Army Contracts, verified in such manner as he may direct.

3. Nothing in this Order shall be deemed to apply to any stocks of Wire Nails of the description aforesaid of less than 5 tons in quantity.

4. This Order may be cited as the Imported Wire Nails Order, 1918.

25th February. [*Gazette*, 1st March.

COUNTY CLARE A SPECIAL MILITARY AREA.

Whereas under Regulation No. 29B of the Defence of the Realm Regulations, the Army Council, with the concurrence of a Secretary of State, may, from time to time, by Order, declare any area to be a Special Military Area for the purposes of the said Regulations.

And whereas it appears to the Army Council expedient to declare the Area specified in the Schedule hereto to be a Special Military Area.

Now, therefore, the Army Council, with the concurrence of the Secretary of State for War, hereby Order and by such Order declare that as from the 26th day of February, 1918, the Area specified in the Schedule hereto shall be a Special Military Area under the designation County Clare Special Military Area.

SCHEDULE.

The County of Clare.

25th February. [*Gazette*, 5th March.

THE FLAX (RESTRICTION OF CONSUMPTION) No. 3 ORDER.

In pursuance, &c., the Army Council hereby order as follows:—

1. No person, the business carried on by whom consists wholly or partly in the production of Linen threads shall, without a permit issued by or on behalf of the Director of Raw Materials, deliver or use otherwise than for the purpose of being woven any doubled thread or twine produced from flax line or flax tow.

2. The Flax (Restriction of Consumption) No. 2 Order is hereby cancelled.

3. This Order may be cited as the Flax (Restriction of Consumption) No. 3 Order. [*Gazette*, 1st March.

26th February.

THE HEMP (RESTRICTION OF CONSUMPTION) ORDER, 1918.

In pursuance, &c., the Army Council hereby order as follows:—

1. No person shall, without a permit issued by or on behalf of the Flax Control Board, spread, card, or otherwise put into process of manufacture any Hemp of the descriptions set out in the Schedule hereto annexed.

2. All persons engaged in the purchase, sale or manufacture of any articles or material wholly or partly composed of Russian or Italian Hemp are hereby required to furnish such particulars as to their business as may be required by or on behalf of the Flax Control Board, verified in such manner as may be directed by them or on their behalf.

3. Particulars may be obtained and permits issued hereunder by the Flax Control Board, and by the Scottish and Irish Sub-Committees of the Flax Control Board on their behalf.

4. It shall be the duty of all persons engaged in the production of any article or material wholly or partly composed of Russian or Italian Hemp to comply strictly with any directions or requirements that may be given or made hereunder by or on behalf of the Flax Control Board for the purposes thereof, and failure to comply with the provisions hereof, or any direction or requirement given or made hereunder shall be an offence against the said Regulations.

5. This Order may be cited as the Hemp (Restriction of Consumption) Order, 1918.

SCHEDULE.

Italian Hemp, Natural.

Italian Hemp, Ferrara, or Bologna T.B. or Higher Grades.
Italian Hemp, Naples "Extra" or Higher Grades.
Russian Hemp, FSPRH or Higher Grades.

26th February. [*Gazette*, 1st March.

THE WOOL (OFF-SORTS) No. 2 ORDER, 1918.

In pursuance, &c., the Army Council hereby order as follows:—

(1) No person shall buy, sell or deal in locks, brokes, daggings, or fallen or gathered wool grown on sheep in Great Britain before the 1st day of January, 1917, without a permit granted by or on behalf of the Director of Raw Materials, or at prices other than those set out in the schedule annexed to the Wool (Off-Sorts) Order, 1917, or at such other prices as in any particular case may be allowed by or on behalf of the Director of Raw Materials; provided that nothing in this Order shall be deemed to apply to any purchase or sale of wool of the description aforesaid, provided such purchase or sale be completed by delivery prior to the 31st day of March, 1918.

(2) Notice is hereby given that it is the intention of the Army Council to take possession of all wool of the description aforesaid, excepting wool held by users for the purpose of manufacture by the holders in the United Kingdom.

(3) For the purpose of this Order the expressions "locks," "brokes," "daggings," "gathered" and "fallen" wool shall be interpreted in accordance with the provisions of Clause 6 in the Wool (Off-Sorts) Order, 1917.

(4) This Order may be cited as the Wool (Off-Sorts) No. 2 Order, 1918.

1st March. [*Gazette*, 5th March.

EXPORT OF HIDES (IRELAND) ORDER AMENDMENT.

Whereas by the Export of Hides (Ireland) Order, 1917 [*ante*, p. 193], the Army Council regulated the delivery of certain Hides for shipment from Ireland;

And whereas it is expedient that the said Order should be amended;

Now, therefore, &c., the Army Council hereby order that the Export of Hides (Ireland) Order, 1917, shall be amended as follows:—

1. In Clause 1 the words "or skins" shall be inserted after the word "Hides."

2. In Clause 1 the word "or" shall be omitted after the word "Bulls."

3. In Clause 1 the words "Calves, Kips, Mules, Jennets, or Donkeys" shall be inserted after the word "Horses."

2nd March. [*Gazette*, 5th March.

Treasury Notice.

REGULATION OF FOREIGN EXCHANGES.

DEPOSIT SCHEME B.

The Lords Commissioners of His Majesty's Treasury hereby give notice that from and after this date no deposit of Securities under Scheme B will be received.

1st March. [*Gazette*, 1st March.

Foreign Office Notice.

CARGOES EX ENEMY VESSELS IN PORTUGUESE HARBOURS.

With reference to the notification on this subject which was published in the London Gazette of the 5th instant, and former notifications therein mentioned, His Majesty's Minister at Lisbon reports that a further Decree, dated 1st February, 1918, has been issued by the

Portuguese Government to the effect that goods on which Banks have advanced credits, or of which the vendors are unpaid, will be delivered to claimants on presentation to the Portuguese Authorities of a certificate from the Legation at Lisbon concerned in conformity with Art. II. of the Portuguese Decree of the 13th July, 1917, and undertaking on the part of its Government responsibility with regard to the settlement of all accounts with the owners of the goods. All claims must be made within sixty days of the date of the Decree.

It is understood that the terms of this Decree cover the cases of liens on enemy-owned goods and unpaid vendors of goods sold to enemy firms.

Copies of the form of undertaking to be given to His Majesty's Government by British Banks and British firms who may desire to avail themselves of the procedure outlined above may be obtained from the Assistant Secretary, Commercial Relations and Treaties Department, Board of Trade, Gwydyr House, Whitehall, London, S.W. 1.

28th February. [*Gazette*, 1st March.

Board of Trade Order.

THE MOTOR SPIRIT DELIVERY ORDER.

The Board of Trade, deeming it expedient to make further exercise of their powers under the Regulations 2r, 2u and 2ii of the Defence of the Realm Regulations as regard motor spirit, hereby order as follows:—

(1) From and after the 1st day of March, 1918, no person shall deliver to a licensed dealer any motor spirit for the purpose of re-sale without receiving from such licensed dealer at the time of delivery customers' vouchers or dealers' vouchers representing the same number of gallons as are then delivered to such licensed dealer.

(2) From and after the 1st day of March, 1918, no licensed dealer in motor spirit shall take delivery of any motor spirit from any person for the purpose of re-sale without delivering to such person customers' vouchers or dealers' vouchers representing the same number of gallons as are then delivered to him.

(3) All persons who receive customers' or dealers' vouchers under paragraphs 1 and 2 of this Order or otherwise shall hold and dispose of such vouchers in such manner as shall be directed by the Petrol Control Department of the Board of Trade or by any person duly authorized by them, and shall make such returns and give such information relating to the said vouchers as the Board of Trade or the Petrol Control Department may require.

(4) The Petrol Control Department may by licence in writing exempt any person from the operation of this Order or any part thereof for such times and subject to such considerations as may be specified in such licence.

(5) In this Order:—

The expression "motor spirit" includes any liquid substance used or capable of being used for supplying motive power to motor vehicles, but does not include a mineral oil capable of being used in a lamp unless taxed as motor spirit under the provisions of the Finance (1909-10) Act, 1919, or brought or sold for use in a motor vehicle.

The expression "licensed dealer" means a person licensed to deal in motor spirit.

The expression "customer's voucher" means a voucher detached from a motor spirit licence issued by the Petrol Control Department of the Board of Trade pursuant to Section 15 of the Finance Act, 1916.

The expression "dealer's voucher" means a voucher issued by the Petrol Control Department of the Board of Trade for the purpose of enabling a licensed dealer to obtain a supply of motor spirit for the purpose of re-sale.

(6) This Order may be cited as the "Motor Spirit Delivery Order, 1918.

26th February. [*Gazette*, 1st March.

Ministry of Munition Order.

RE-SCUTCHED TOW ORDER, 1918.

The Minister of Munitions, in exercise, &c., hereby gives notice and orders as follows:—

1. He hereby takes possession as and from the date hereof, of all re-scutched Tow off the flax of the 1917 crop and previous years, grown in Ireland, and not at the date hereof in possession of a Flax Spinner for the purpose of his business.

2. The re-scutched tow of which possession is hereby taken, under paragraph 1, will be divided under the direction of the Director-General of Aircraft Production into three Grades according to its quality, handling and cleaning, and the Minister will pay the following prices therefor:—

First Grade.—£100 per ton, delivered at nearest railway station to appointed destination.

Second Grade.—£95 per ton delivered at nearest railway station to appointed destination.

Third Grade.—£85 per ton, delivered at nearest railway station to appointed destination.

Fine Tow which is not re-scutched, pluckings, dressings and Re-scutched Tow which is inferior in quality to that of the Third Grade hereinbefore mentioned, will be paid for according to their relative values.

3. All Contracts previously entered into for the purchase of re-scutched Tow are hereby cancelled as at this date, as regards re-scutched Tow not yet delivered.

4. If after this notice and Order any person having control of any re-scutched Tow referred to hereunder sells, removes or secretes such re-scutched Tow, except upon the terms provided in this Order, he will be guilty of an offence against the Defence of the Realm Regulations.

28th February. [*Gazette*, 1st March.

Food Orders.

THE HORSE AND POULTRY MIXTURES ORDER, 1917.

General Licence.

Pursuant to the above Order the Food Controller hereby authorizes the use of molassed foods, cocoa shells and apple residues in the making of a Horse Mixture, and of dried meat unfit for human food in the making of a Poultry Mixture, and the sale and purchase of such mixtures in accordance with the provisions of the above Order.

14th January.

THE POULTRY AND GAME (COLD STORAGE) ORDER, 1918.

In exercise, &c., the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:—

1. *Delivery of poultry and game out of cold store.*]—(*a*) A person shall not after the 5th February, 1918, deliver or permit to be delivered or take delivery of any poultry or game out of any cold store except under and in accordance with the terms of a licence granted by the Food Controller.

(*b*) Any licence granted for the purposes of this clause may be issued subject to such conditions as the Food Controller may think fit for ensuring the proper distribution of the poultry or game authorised to be delivered out of the cold store.

(*c*) On any sale, purchase or delivery of any poultry or game delivered out of a cold store pursuant to a licence under this Order, the person selling or purchasing or taking delivery of the same shall comply with

all directions whether of general application or otherwise which may be given by the Food Controller with regard to the use or disposal of such poultry or game and the price at which the same may be sold.

2. *Imported poultry and game to be delivered into cold store.*]—All poultry and game which shall be imported into the United Kingdom after the 5th February, 1918, shall forthwith be delivered into a cold store.

3. *Exception.*]—During the month of February, 1918, a person shall not require a licence under this Order except in so far as the total of all deliveries to him from the same cold store exceed in the case of poultry 3 tons or in the case of game 5 cwts.

4. *Interpretation.*]—For the purposes of this Order—

The expression "cold store" shall not include any cold store where the total refrigerated space does not exceed 5,000 cubic feet or any refrigerated transit shed.

The expression "poultry" shall include chickens, fowls, ducks, turkeys, guinea fowls and geese.

The expression "game" shall include rabbits, hares and any kind of bird killed for food other than poultry.

5. *Penalty.*]

6. *Title.*]—This Order may be cited as the Poultry and Game (Cold Storage) Order, 1918.

Applications for licences under this Order are to be made to the Secretary (Fish and Poultry Section), Ministry of Food, 14, Upper Grosvenor Street, W. 1, from whom the necessary application forms can be obtained.

5th February.

THE MILK (REGISTRATION OF DEALERS) POSTPONEMENT ORDER, 1918.

In exercise, &c., the Food Controller hereby Orders that the Milk (Registration of Dealers) Order, 1915 (*ante*, p. 271) (hereinafter called the Principal Order), shall be amended as follows.—

1. In Clause 1 (*a*) of the Principal Order "the 16th February, 1918," shall be substituted for "the 9th February, 1918," and in Clauses 1 (*b*) 6 (*a*), and 6 (*b*) respectively of the Principal Order "the 2nd March, 1918," shall be substituted for "the 23rd February, 1918."

2. Copies of the Principal Order hereafter to be printed under the authority of His Majesty's Stationery Office shall be printed with the substitutions provided for by Clause 1 of this Order and the Principal Order shall hereafter take effect as if it had been originally made with such substitutions.

3. This Order may be cited as the Milk (Registration of Dealers) Postponement Order, 1918.

7th February.

THE MILK (MOTHERS AND CHILDREN) ORDER, 1918.

In exercise, &c., the Food Controller hereby orders as follows:—

1. *Supplies of food and milk to mothers or children.*]—Any local authority within the meaning of the Notification of Births Act, 1907, may, and, when required by the Local Government Board, shall, arrange for the supply of food and milk for expectant mothers and nursing mothers and of milk for children under 5 years of age, subject to such conditions as may from time to time be prescribed by the Food Controller.

2. *Conditions.*]—Until further notice, the following conditions shall be observed:—

(*a*) The quantities of food and milk to be supplied shall not in any case exceed the amount certified to be necessary by the Medical Officer of Health, or the Medical Officer of a Maternity or Child Welfare Centre working in co-operation with the Local Authority, or by a person authorized in that behalf by either of such Medical Officers, or by some other person appointed by the Local Authority for this purpose.

(*b*) In necessitous cases in which the Medical Officer of Health or the Medical Officer of a Maternity or Child Welfare Centre working in co-operation with the Local Authority, or any person authorized in that behalf by either of such Medical Officers or by some other person appointed by the Local Authority for this purpose, certifies that the provision of food or milk is necessary, food or milk may be supplied free or may be sold at less than cost price.

3. *Combination of Local Authorities.*]—A Local Authority may, and, when required by the Local Government Board, shall, combine with another Local Authority or with any Local Food Control Committee in the exercise of the powers hereby given to the Local Authority, or may, with the approval of the Local Government Board, delegate all or any of such powers to the Committee.

4. *Interpretation.*]—The expression "Milk" for the purpose of this Order shall include any preparation of milk which may be prescribed by the Medical Officer of Health or by the Medical Officer of a Maternity or Child Welfare Centre working in co-operation with the Local Authority.

5. *Title and extent of Order.*]—(*a*) This Order may be cited as the Milk (Mothers and Children) Order, 1918.

(*b*) This Order shall apply only to England and Wales.

8th February.

POTATOES ORDER, 1917.

General Licence.

The Food Controller hereby authorizes, notwithstanding the provisions of Clause 10 of the Potatoes Order, 1917, sales of and dealings in potatoes of any of the varieties mentioned in such clause ("King Edward," "Arran Chief," "Langworthy," "What's Wanted" and "Golden Wonder") except sales of and dealings in potatoes of the "King Edward" variety grown on warp limestone marsh or silt lands in any of the Counties of York, Lincoln, Cambridge, Norfolk, Huntingdon, Hertford, Warwick, Worcester and Notts by a grower whose whole acreage of potatoes of all varieties in those counties in the year 1917 exceeds 5 acres.

11th February.

THE BARLEY (EXPORT FROM IRELAND) ORDER, 1918.

In exercise, &c., the Food Controller hereby orders as follows:—

1. *Prohibition of export of Barley from Ireland.*]—Except under and in accordance with the terms of a licence granted by or under the authority of the Food Controller, a person shall not after the 18th February, 1918, consign or ship any Barley from Ireland to any destination outside Ireland.

2. *Infringements.*]—Infringements of this Order are summary offences against the Defence of the Realm Regulations.

3. *Title.*]—This Order may be cited as the Barley (Export from Ireland) Order, 1918.

11th February.

THE FOOD HOARDING (AMNESTY) ORDER, 1918.

In exercise, &c., the Food Controller hereby Orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:—

1. *Certificate of Amnesty.*]—For the purposes of the Food Hoarding Order, 1917 (hereinafter called the principal Order) and all proceedings thereunder, there shall be excluded from account any articles of food in respect of which a certificate shall have been given under this Order.

2. *Application for certificate.*]—For the purpose of obtaining a certificate under this Order, a person may on or before the 18th February, 1918, make to a Food Committee a return showing as at the date of such return:—

(*a*) the quantity of any articles of food which he holds or believes himself to hold in excess of the quantity allowed by the principal Order; and

(*b*) the total quantity of the same articles held by him;

And may surrender all or any of the articles of food comprised in such return to the Food Committee at such place and time and in such manner as shall be determined by the Food Committee.

3. *Sale of surrendered articles.*]—A Food Committee may sell any of the articles of food surrendered to them on such terms, in such manner and to such persons as they shall think fit and shall pay the person surrendering such articles the sum ascertained by them to be equal to one-half of the net proceeds of sale.

4. *Grant of certificates.*]—Certificates for the purpose of this Order shall upon surrender to a Food Committee on or before the 25th February, 1918, of any articles of food under this Order be issued by that Food Committee, and shall relate only to the articles so surrendered.

5. *Exceptions.*]—This Order shall not apply to any articles of food:—

(*a*) in the possession of any person whose premises shall before the 5th February, 1918, have been legally searched for the purposes of the principal Order; or

(*b*) which are the subject matter of a prosecution instituted before the 5th February, 1918, under the principal Order.

6. *False statements.*]—A person shall not make or knowingly connive at the making of any false statement in any return made for the purposes of this Order.

7. *Information to be confidential.*]—A member of or a person employed by a Food Committee shall not without lawful authority communicate to any person any information acquired by him from any return made for the purposes of this Order.

8. *Interpretation.*]—For the purposes of this Order the expression "Food Committee" shall mean as respects Great Britain a Committee appointed in pursuance of the Food Control Committees (Constitution) Order, 1917, and as respects Ireland, the Food Control Committee appointed for Ireland by the Food Controller.

9. *Penalty.*]

10. *Title.*]—This Order may be cited as the Food Hoarding (Amnesty) Order, 1918, and shall be read as one with the principal Order.

11th February.

THE MEAT (LICENSING OF WHOLESALE DEALERS) ORDER, 1918.

In exercise, &c., the Food Controller hereby orders that except under the authority of the Food Controller, the following regulations shall be observed by all persons concerned:—

1. *Licensing of wholesale dealers.*]—A person shall not deal in dead meat by wholesale either on his own account or for the account of any other person:—

(*a*) after the 15th March, 1918, unless he has applied for a licence as a wholesale dealer in dead meat; or

(*b*) after the 31st March, 1918, unless he is the holder of a licence

for the time being in force granted by the Food Controller authorizing him to deal in dead meat by wholesale.

2. *Mode of application for a licence.*]—Every application for a licence shall be made to the Secretary (Meat Section), Ministry of Food, Palace Chambers, Whitehall, S.W. 1, on a form to be prescribed by the Food Controller, and every applicant shall furnish on such form a true statement of the particulars required for completing the same, which statement shall be signed by the applicant or by his duly authorized agent.

3. *Issue and revocation of licences.*]—A licence shall be granted under this Order to such persons and subject to such conditions as the Food Controller may determine, and any such licence may at any time be revoked by the Food Controller.

4. *Information and inspection.*]—The holder of any licence under this Order shall keep or cause to be kept at some convenient place accurate records as to his dealings in dead meat together with all relevant books, documents and accounts, and shall comply with any directions given by or under the authority of the Food Controller as to the form and contents of such records and shall permit any person authorized by the Food Controller to inspect all such records, books, documents and accounts. The holder shall also observe such directions as to his dealings in dead meat as may be given to him from time to time by or under the authority of the Food Controller and shall make such returns and furnish such particulars as to his dealings in dead meat as may from time to time be required.

5. *Production of licence.*]—Every licence issued under this Order shall be produced by the holder upon the demand of any person authorized by the Food Controller.

6. *Interpretation.*]—For the purposes of this Order "Dead Meat" shall mean any meat, including sausages and edible offal, obtained from cattle, sheep, lamb, goats or swine, other than bacon, ham, preserved and potted meat and cooked meats.

7. *Penalty.*]

8. *Title and Extent of Order.*]—(*a*) This Order may be cited as the Meat (Licensing of Wholesale Dealers) Order, 1918.

(*b*) Nothing in this Order shall prevent the purchase or sale by wholesale in Ireland by a person not licensed under this Order, of dead meat for delivery in Ireland.

12th February.

THE TEA (DISTRIBUTION) ORDER, 1918.

In exercise, &c., the Food Controller hereby orders as follows:—

1. *Interpretation.*]—For the purpose of this Order, National Control Tea shall mean all Indian or Ceylon Tea which may after the 17th February, 1918, be sold by wholesale on account of the Food Controller in whatever hands such tea may be.

2. *Form of application may be prescribed.*]—(*a*) The Food Controller may from time to time prescribe forms of application and other documents to be used for the purpose of obtaining or for any other purpose connected with National Control Tea. Any such form or document may contain directions to be observed as to the completion of the form or any other matter.

(*b*) The Food Controller may from time to time issue directions relating to the distribution, treatment, blending, sale, disposal or use of any National Control Tea, or as to the price and terms upon which any such Tea may be sold or otherwise disposed of.

3. *Completion of Forms.*]—All persons concerned shall in the completion of such form or document and in the distribution, treatment, blending, sale, disposal and use of any National Control Tea comply with the instructions and directions relative thereto for the time being in force.

4. *Records.*]—A person dealing in National Control Tea shall keep or cause to be kept at some convenient place such records as to Tea dealt in and such other matters as the Food Controller may from time to time prescribe together with all relevant documents and accounts, and shall comply with any directions given by or under the authority of the Food Controller as to the form and contents of such records, and shall make such returns and furnish such particulars relating to his dealings in Tea as the Food Controller may from time to time require, and shall permit any person authorized by the Food Controller to inspect the records to be kept under this Clause and all relevant books, documents and accounts.

5. *False Statements.*]—A person shall not—

(*a*) make or knowingly connive at the making of any false or misleading statement in any application or other document prescribed pursuant to this Order, or used for the purpose of obtaining or for any other purpose connected with, National Control Tea;

(*b*) forge, alter or tamper with any such application or other document;

(*c*) personate or falsely represent himself to be a person to whom any such application or other document applies;

(*d*) obtain National Control Tea where any statement made on the relative application is false in any material particular, or deliver National Control Tea under any such application where he has reason to believe that any statement in such application is false in a material particular.

6. *Prescribed form and documents.*]—Any form of application or other document purporting to be prescribed or any direction purporting to be given pursuant to this Order, or headed Tea (Distribution) Order, 1918, shall unless the contrary be proved be deemed to be prescribed or given pursuant to this Order.

7. *Penalty.*]

8. *Title.*]—This Order may be cited as the Tea (Distribution) Order, 1918.

14th February.

THE TEA (PRICES) ORDER, 1918.

In exercise, &c., the Food Controller hereby orders that, except under the authority of the Food Controller, the following regulations shall be observed by all persons concerned:—

1. *Interpretation.*]—For the purposes of this Order, the expression "National Control Tea" shall mean all Indian or Ceylon Tea which may, after the 17th February, 1918, be sold by wholesale on account of the Food Controller in whatever hands such tea may be.

The expression "Institution" shall mean a public or private hospital, sanatorium, convalescent or nursing home, workhouse, infirmary, asylum, corporation or company not established for purposes of trading or profit, a religious or charitable community, a residential school or college and a canteen.

2. *Retail price for tea.*] The maximum price on the occasion of any retail sale of tea shall, on and after the appointed day, be at the rate of 2s. 8d. per lb.; provided that where tea is sold to an Institution at one sale in a quantity of not less than 20 lbs., to be delivered in any one month, the maximum price shall be at the rate of 2s. 6d. per lb., with an addition at the rate of ½d. per lb. if the Tea is blended or if the original import packages have been broken.

3. *Delivering packages and credit.*] Where the purchaser, on the occasion of a retail sale, requires Tea to be delivered to his premises, a reasonable additional charge may be made for such delivery not exceeding ½d. per lb. or any reasonable sum actually paid by the seller for carriage; but no charge may be made for packages or for giving credit.

4. *Mixing.*]—A person shall not mix any National Control Tea with any other Tea or knowingly sell or offer or expose for sale any mixture of National Control Tea with other Tea.

5. *Offers, &c.*]—A person shall not sell or offer or expose for sale or knowingly buy or agree to buy any Tea at a price exceeding the price applicable under this Order, or in connection with the sale or disposition or proposed sale or disposition of any Tea enter or offer to enter into any artificial or fictitious transaction or make or demand any unreasonable charge.

6. *Appointed day.*]—The appointed day shall be, as respects National Control Tea, the 18th February, 1918, and as respect all other Teas shall be as follows:—

(*a*) In Ireland such day as the Food Control Committee for Ireland may fix;

(*b*) In England and Wales the 18th March, 1918, and in Scotland the 1st April, 1918, or, as respects any particular district in Great Britain or any particular shop in any such district such later day as the Food Control Committee for that district may fix.

In fixing any day under sub-clauses (*a*) or (*b*) of this clause, a Committee shall comply with any directions given by the Food Controller.

7. *Revocation.*]—The Tea (Provisional Prices) Order, 1917, and the Tea (Provisional Prices) Order, No. 2, 1917, shall cease to apply to any sale of tea if and so soon as the provisions of this Order apply thereto, but without prejudice to any proceedings in respect of any previous contravention thereof.

8. *Infringements.*]—Infringements of this Order are summary offences against the Defence of the Realm Regulations.

9. *Title.*]—This Order may be cited as the Tea (Prices) Order, 1918.

14th February.

THE FOOD CONTROL COMMITTEE (LOCAL DISTRIBUTION) AMENDMENT ORDER, 1918.

In exercise, &c., the Food Controller hereby orders that the Food Control Committee (Local Distribution) Order, 1917 [*ante*, p. 200] (hereinafter called "the principal Order") shall be amended as follows:—

1. *Schemes under the principal Order.*]—Where a Food Committee adopts a scheme under the principal Order for controlling within their area the distribution and consumption of any article of food the scheme may, with the consent of the Food Controller, include provisions relating to or provisions empowering the Committee to give directions relating to—

(*a*) *Regulation of retail sale.*]—the regulation of the sale by retail of the specified article within the district of the Committee by any persons or class of persons, whether such persons are or are not registered under the scheme as retailers in respect of any premises,

or from or about any vehicle, stand or other place within the said district, not being premises in respect of which any person is registered as a retailer under the scheme;

(*b*) *Restriction on consumption and acquisition.*]—the total quantities of the specified article which may be consumed or obtained from all sources for consumption by any person or class of persons or may be obtained from all sources by any manufacturer, caterer, institution, residential establishment or other establishment or class of establishments within the district whether such person, class, manufacturer, caterer, institution or establishment is or is not a registered customer under the scheme;

(*c*) *Information and returns.*]—the production of such information and the making of such returns by any persons as may be required for the purposes of the scheme

and generally may include such other provisions and empower the Committee to give such other directions as may be thought requisite for the purpose of controlling within the district the distribution and consumption of the specified article.

Where the scheme includes any such provisions, the Committee may give all necessary directions for giving effect thereto.

2. *Application of scheme to other articles of food.*]—(i) Where a Food Committee has with the consent of the Food Controller adopted a scheme for controlling the distribution and consumption of any article of food, and the Food Controller has by a general or other authority issued for the purpose of this clause authorized the application of schemes made under the principal Order or this Order to any other article or articles of food specified in the authority, the Food Committee may by resolution apply the scheme to such other article or articles of food subject to and in accordance with the terms of such authority.

(ii) Where the Committee has passed any such resolution, then, subject to any directions of the Food Controller contained in such authority, such scheme shall apply to such other article or articles in the same manner as it applies to the first-mentioned article with necessary modifications.

(iii) The Food Committee shall within seven days from the date of the resolution forward a copy of the same to the Food Controller.

3. *Confirmation of schemes.*]—Where at the date of this Order a scheme has been adopted by a Food Committee under the principal Order, such scheme shall be deemed to have been made under the principal Order and this Order, and shall have effect accordingly.

4. *Compliance with directions.*]—A Food Committee shall comply with any directions or instructions that may be given by the Food Controller in connection with or for any of the purposes of any scheme adopted under the principal Order and this Order or any directions under any such scheme.

5. *Supplies under false documents, &c.*]—A person shall not obtain or attempt to obtain any supply of a specified article by virtue of any card, voucher, authorization or other document issued for the purposes of any scheme where the application upon which such document was obtained was false in any material particular or where, according to the scheme, the right to obtain such article thereunder has ceased or is otherwise not properly exerciseable by him.

6. *Revocation.*]—Clause 2 (*f*) of the principal Order is hereby revoked but without prejudice to any act or thing done thereunder.

7. *Title.*]—This Order may be cited as the Food Control Committees (Local Distribution) Amendment Order, 1918, and shall be read as one with the principal Order.

15th February.

THE EGG (RESTRICTION) ORDER, 1918.

In exercise, &c., the Food Controller hereby orders that except under the authority of the Food Controller, the following regulations shall be observed by all persons concerned:—

1. *Restriction on use of eggs.*]—Except under and in accordance with the terms of a licence granted by or under the authority of the Food Controller no person shall—

(*a*) use any eggs or any egg products for any purpose other than human consumption or for the manufacture of articles for human consumption; or

(*b*) sell or buy or offer to sell or buy any eggs or any such products except for human consumption or in the manufacture of such articles; or

(*c*) damage or waste or permit to be damaged or wasted or otherwise treat or permit to be treated any egg or egg products so as to render the same less fit for human consumption or for the manufacture of such articles.

2. *Exception.*]—This Order shall not affect—

(*a*) the sale, purchase, or use of eggs for breeding purposes;

(*b*) the sale, purchase, use or treatment for any purpose of the shells of eggs or of such eggs or egg products as are unfit either for human consumption or for the manufacture of articles for human consumption.

3. *Interpretation.*]—For the purposes of this Order, the expression "eggs" shall include the eggs of any bird whatsoever, and "egg products" shall include canned eggs, dried eggs and desiccated eggs and any article containing any part of an egg other than the shell.

4. *Penalty.*]

5. *Title and Commencement.*]—(*a*) This Order may be cited as the Egg (Restriction) Order, 1918.

(*b*) This Order shall come into force on the 25th February, 1918.

15th February.

SUGAR (CONFECTIONERY) ORDER, 1917.

General Licence.

On a retail sale of chocolate or other sweetmeats there may, in ascertaining the weight of the articles sold for the purposes of the above Order, be included the weight of any tinfoil, wax paper or other like wrappings of a size, weight and character customarily in use on a sale of the like articles before the 11th January, 1917; and the maximum prices chargeable shall be ascertained accordingly.

18th February.

We have to hold over the following:—

The Order in Council of 27th February reconstituting the Army Council.

The Paper Restriction Order, 1918, dated 27th February, made by the Board of Trade.

The Cattle Feeding Stuff (Maximum Prices) Order, 1918, dated 7th February, made by the Food Controller.

Societies.

Belgian Lawyers Relief Fund.

SUMMARY OF RECEIPTS AND PAYMENTS FOR YEAR ENDING 31ST DECEMBER, 1917.

Receipts.

To Balance on hand at 31st December, 1916, represented by:—			
Cash at bankers:			
On Deposit Account	£1,300 0 0		
On Current Account	99 14 2		
Cash in hand	10 0 0		
		£1,409	14 2
Subscriptions, etc., received:—			
Prior to issue of Third Appeal	52 15 0		
Subsequent to issue of Third Appeal as announced in the *Law Times*	1,116 6 6		
		1,169	1 6
Interest on Deposit Account		33	10 6
Cash received in repayment of advances		21	0 0
		£2,633	6 2

Payments.

By Amounts advanced to Belgian lawyers, &c.		£1,353	2 1
Gifts and Christmas presents		8	10 6
Printing, cost of issuing appeals, &c.	£137 5 11		
Rent, lighting, heating and cleaning	116 16 8		
Assistant secretary's salary	208 0 0		
Clerical assistance	10 0 0		
Telephone charges	6 10 0		
Sundry disbursements, petty cash, &c.	12 3 10		
		490	16 5
Balance on hand at 31st December, 1917, represented by:—			
Cash at bankers:			
On Deposit Account	£600 0 0		
On Current Account	170 17 2		
Cash in hand	10 0 0		
		780	17 2
		£2,633	6 2

We have examined the foregoing statement of receipts and payments with the relative vouchers, and certify it to be in accordance therewith. We have obtained from the bankers certificates confirming the balances in their hands at 31st December, 1917.

DELOITTE, PLENDER, GRIFFITHS & Co.,
Hon. Auditors, Chartered Accountants.

5, London Wall-buildings, E.C., 17th January, 1918.

[We have received too late for insertion this week a further list of subscriptions amounting to £501 18s. 9d.]

Chester and North Wales Incorporated Law Society.

The annual meeting of this society was held at the Town Hall, Chester, on Wednesday, 27th February, the president, Mr. E. Gardner (Chester), in the chair. The "John Allington Hughes Prize" for 1917 was presented by the chairman to Mr. Emrys Evans, B.A., LL.B. (Cantab.), LL.B. (Lond.), who served his articles with Mr. William George (Criccieth), and was awarded third class Honours at the final examination of the Law Society held in June, 1917. Mr. E. Gardner and Mr. H. Hatt-Cock (Northwich) were re-elected president and vice-president respectively for the ensuing year, and the other officers of the society are: Hon. treasurer, Mr. T. Moore Dutton; hon. secretary, Mr. Henry G. Hope; hon. auditors, Messrs. F. Turner and W. H. Barnes. Messrs. R. Farmer (Chester), E. J. Swayne (Denbigh), and H. J. Williams (Whit-

church) were elected to fill vacancies on the committee. On account of the continuance of the war, the annual dinner was not held.

The following are extracts from the report of the committee :—

Membership.—The society now numbers 170 members. The committee regret to record the death of the following members : Mr. John Davies (Denbigh); Mr. D. Oswald Davies (Dolgelley); Mr. S. J. R. Dickson (Chester); Mr. E. W. Johnson (Llandudno); and Mr. C. E. Speakman (Crewe).

Solicitors' Remuneration.—The committee have considered a report on this subject adopted by the committee of the Liverpool Law Society, and approved the same in principle. The reforms advocated in the report were briefly as follows :—(1) That the principle of remuneration by an *ad valorem* scale should be extended; (2) that a system of discretionary charges within certain fixed limits for various classes of business should be established; (3) that the system of making a reasonable discretionary charge for all other business coming within the scope of the Solicitors' Remuneration Act should be legalized. At the special meeting of the Associated Provincial Law Societies, held in October, at which Mr. N. A. E. Way represented this society, the following resolutions were carried :—"That steps be at once taken by the association to bring about alterations and improvements in the present unsatisfactory and inadequate system of solicitors' remuneration in many non-contentious matters, by extending the principle of remuneration by *ad valorem* scales, where such may be considered appropriate, and by legalizing so far as the same may be practicable under the provisions of the Solicitors' Remuneration Act, 1881, the delivery of lump-sum Bills of Costs." "That the secretaries be instructed to send a copy of the above resolution to the Law Society, inviting the Council's co-operation, and that the Council be requested to appoint a special committee to consider and report upon the details of the scheme submitted by the Liverpool Law Society, and that such report be submitted to this association before it is sent to the Rule-Making Authority." The committee have also considered a suggestion by the president of the Law Society, "That steps be taken to obtain an increase of solicitors' remuneration during the war and for a term afterwards." The committee were of opinion that it was not advisable to make such a move at the present time, but at the special meeting before mentioned the Associated Provincial Law Societies passed a resolution approving the suggestion of the president, and requesting the Council to take action to that end.

The War.—The record of members and articled clerks of members who have joined His Majesty's Forces has been revised to date as far as possible, and appears as Appendix B. to this report. Appendix B. contains the names of twenty-seven solicitors, of whom three have been killed in action, and thirty-six articled clerks, of whom two have been killed in action.

The Union Society of London.

SESSION 1917-18.

The fourteenth meeting of the society was held in the Middle Temple Common Room on Wednesday, 6th March, 1918. The motion before the House was: "That this House deprecates the manner in which the Government is dealing with the man-power question." Opener, Mr. Quass. Opposer, Mr. Coram. The motion was carried.

Sentences on Soldiers.

In the Court of Criminal Appeal, on the 1st inst., says the *Times*, Mr. Justice Darling referred to the light sentences which have been passed on soldiers in some recent cases.

In giving judgment dismissing an application for leave to appeal against a sentence, his lordship said that the applicant, who had been sentenced at the Devon Assizes to three years' penal servitude for false pretences, had masqueraded as an officer, had induced the manager of an hotel to cash cheques on a bank where he had no account, and had obtained considerable sums of money. To support his appeal he said that he had rendered good service in the Army. That was quite true, but no judge ought to say that a man's good service in the Army gave him a right to commit crimes. The applicant asked that "the good I once did may be put in the scales of justice and may be allowed to offset the bad I have done."

His lordship continued :—We are not at all surprised that at last this matter should have been brought to our attention by a convicted criminal in these terms. No one who has observed the administration of justice in the case of soldiers lately can affect to be unaware of a practice which has been adopted in certain courts of allowing soldiers who commit crimes to go practically unpunished. We who sit as judges of the King's Bench Division do not live in convents away from the world. We know perfectly well what is the public opinion on this matter. Recently the judges of the King's Bench Division held a meeting which had to discuss this subject, among others, and that meeting recognized the evil which had been done. There is no doubt that the applicant noticed that there has grown up in certain quarters a practice of treating soldiers who have done good service quite differently from civilians who have committed the same crimes. That practice has placed in the greatest difficulty those who have to deal with sentences with a view to remissions, indulgences, and so on. It has become manifest that certain persons think that, as the applicant says, you may "set off" good military service against civil crimes, and that if a man has served well he may murder his wife, outrage a woman, and commit I know not how many bigamies, and yet go free. If that is to prevail a Mention in Dispatches or a Military Medal will be a licence to commit crimes. The members of this court think that there must be an end to any encouragement of such a view. The practice which has arisen is a most maleficent one. Each case must be judged on its own merits, and on nothing else.

The Consolidation of the Income Tax Acts.

In the House of Lords, on 28th February, says the *Times*, the Lord Chancellor, in moving the second reading of the Income Tax Bill, said that the object of the measure was to give effect to the general feeling that the time had come when the laws relating to the income tax should be put upon a more intelligible footing. The tax, he reminded the House, was a great weapon for war as well as for peace, and after giving a short history of the impost from its first introduction he said that as the tax must now be regarded as a permanent portion of our financial system, it was imperative to consider whether the form of legislation on the subject could not be improved. It was generally agreed that the Income Tax Acts were so framed as to add to the feeling of hardship experienced by those who had to pay the tax. The purpose of the framers of the Bill was simply to make the existing law intelligible.

He mentioned that in the financial year 1916-1917 the amount yielded by the tax was £186,538,000 and on the supertax a good deal more than £20,000,000, and he reminded the House that Lord Cozens-Hardy said, as Master of the Rolls, in 1914 :—"I venture to think that the time has come when all the Income Tax Acts should be consolidated, so that it may be reasonably possible for the subject to ascertain the nature of his liabilities." Grumbling about the confusion of the law had now become chronic, and it certainly ought to be brought into one coherent enactment and no longer be scattered over an enormous number of volumes of the Statute Book. As far as possible the language of the various statutes which were consolidated had been preserved, and where a statute had received judicial interpretation it was undesirable to alter the language. Efforts had been made to bring the law under any one particular head into one chapter. It now might have to be sought for through a number of chapters. All that was aimed at was to have the law made intelligible. If the House gave the Bill a second reading he proposed to have it sent to the Joint Committee of both Houses, which dealt with the consolidation of Bills.

Lord Harris hoped that now that the Acts were consolidated the Government would redress some income tax grievances. Viscount Haldane expressed the gratitude of the House to the Lord Chancellor for his valuable Bill.

Lord Wrenbury said he had often judicially expressed his opinion of the enormous difficulty in construing these Acts, as in many cases the same word was used in totally different senses. He hoped that the effect of this Bill would be to reduce this chaos to order, and would result in their being in a form that a skilled person could see what it meant.

The Lord Chancellor trusted that the Bill would eventually emerge in a form that would prove a substantial improvement in this branch of the law.

The Bill was then read a second time.

Solicitors (Qualification of Women) Bill.

In the House of Lords, on Tuesday, says the *Times*, Lord Buckmaster, in moving the second reading of the Solicitors (Qualification of Women) Bill, explained that it was identical with the Bill he brought forward last year, but which the Government were unable to adopt or to facilitate in the House of Commons. Since then events had happened which had materially altered the atmosphere in which the proposal found itself. Six millions of women had been entrusted with the Parliamentary vote, and those six millions knew better than anyone the relentlessness of the struggle in which any woman found herself who tried to obtain her living by honourable means. At the present moment admission to the ranks of solicitors was regulated by an Act of Parliament which, although it was couched in general language, had been judicially interpreted as excluding the female sex. He asked the House to say that a woman who had qualified herself by study to practise the calling of a solicitor should be able to do it in her own right and do it for profit. A solicitor in a large manufacturing town, who had no son, had written him that he had a daughter whom he had trained, and added, "When I go the goodwill of my business vanishes." Why was it that his daughter should be prevented from "carrying on"? To that the noble lord saw no answer. In the *Times* of the previous day a statement was made that questions had been put to him in regard to this matter. As a matter of fact, they had not been put, except through the paper, but, as he gathered, they represented the organized view of certain legal societies upon the point. It was said that the Law Societies of Manchester, Liverpool and Birmingham had indicated reasons why the Bill should not be proceeded with till after the war, and they put the question that if women were admitted to one branch of the legal profession as solicitors, why should they be excluded from the Bar and other numerous public appointments open only to members of the Bar. He reminded their lordships that when the Bill was before them on a former occasion he had pointed out that there was no law to prevent a woman becoming a

barrister, and that a woman might be admitted to any of the Inns of Court at once if the Benchers of that Inn chose to permit her entry. At the moment legislative interference appeared to be unnecessary to compel such action by the Benchers. He saw no reason why women should not be admitted to the Bar, and he believed that the passage of this Bill would be the most certain way of bringing about that reform. If a woman were, by her qualities, pre-eminently fitted to discharge any public duty, and were better fitted than a male competitor, why in the public interest should she not be allowed to discharge it? There were members of that House who, he believed, could point to women among their personal acquaintances whom they would be glad to have associated with them in the discharge of magisterial duties, and whose help would be of great value in cases affecting young girls. The Bill had nothing to do with the industrial and economic occupation of women outside the particular occupation to which it related, and he could think of no other occupation the entrance to which was rigidly defined by statute. In reply to the argument that the Bill might be a good one but the present was not the right moment for its introduction, in view of the absence of a number of men connected with the profession who were nobly and honourably discharging duties away from England, he pointed out that if the measure became law no woman could become qualified to practise within a minimum period of three years, and, in many cases, five years, and expressed the belief that the solicitors who were serving with the forces would come back with their outlook on life widened, and would be unwilling to stand in the way of women to whose services and devotion they owed so much.

The motion was agreed to without debate.

Registration of Company Directors.

In the House of Commons, on the 4th inst., Mr. Wardle, asked by Mr. Joynson-Hicks whether under the Companies (Particulars as to Directors) Act, 1917, and the operation of various other Acts, the opinion of the Law Officers of the Crown was to the effect that companies must register not merely the names of the directors, but the names of every other company of which they were directors, whether this obligation was unforeseen when the Act was being passed, whether he was aware that it was causing inconvenience in financial circles, and whether he could see his way to ask the registrar to waive such particulars pending the decision in a test case, or whether he would bring in a short Bill to remedy the grievance, said: "The advice given by the Law Officers of the Crown as to the interpretation of the Companies (Particulars as to Directors) Act, 1917, is to the effect stated by my hon. friend. The Board of Trade have no jurisdiction to waive the requirements of the Act, but I will ask the Committee recently appointed to consider amendments in the Companies Acts to advise whether any alteration of the law would be expedient."

Companies.

Legal and General Life Assurance Society.

The annual general meeting of this society was held on Tuesday at the chief offices, 10, Fleet-street, Mr. Romer Williams, D.L., J.P. (the chairman), presiding.

The Actuary and Manager (Mr. E. Colquhoun) read the notice convening the meeting.

The Chairman, in moving the adoption of the report and accounts, said:—Gentlemen,—The number of policies issued in the past year was 3,833 against 2,400 in 1916. The sums assured were £1,934,873, as against £1,798,109, and the premiums £108,084, as against £96,741. The figures are gross, and I have combined, for the sake of brevity, the totals of the life assurance and the general fund. The net figures give sums assured, in 1917, £1,866,851, as against £1,764,975 in 1916, and premiums £103,496, against £94,825. The business of 1917 was slightly larger than that transacted in 1916, but the society is, of course, still labouring under the difficulties caused by the war, and I think you will agree with me that with a larger and larger proportion of the insurable male population being swept into the Army, and with 56 per cent. of our total original staff gone also, we may consider the amount of business done is satisfactory. The total net premiums in both funds amounted to £1,069,973, as against £1,051,312 in 1916.

The total claims on the life assurance fund amount to £853,970, of which sum no less than £199,018 is due to policies which matured during the year. These, I may say, are usually heavy in the year following a bonus period, as so many persons select that particular year for an endowment assurance to mature in order that they may share to the full in the bonus, and they are, of course, provided for at our valuations. This leaves £654,953 as net death claims, as against £566,797 in 1916, and of this amount the sum of £132,873 arose from deaths directly due to the war. The total claims due to the war up to the end of last year amounted to £589,421. The ordinary claims have been somewhat heavier than usual, owing to the death of some very old assured whose policies carried heavy bonuses, the original sum assured in fact being in many cases more than doubled from this cause. Against this heavy mortality among insured lives we may set an equally heavy proportion of mortality amongst annuitants—no less than eighty annuities, amounting to £7,963 10s. a year, fell in owing to the death of annuitants, a very material reduction in the society's liabilities.

Stock Exchange Securities.

With regard to the balance-sheet and the assets of the society I think I need say little on the present occasion, as I referred to them so very fully less than a year ago at the bonus meeting. I may say, however, that the directors have, as usual, gone through the securities, and the result of their investigation is satisfactory, as stated in the report. With regard to the Stock Exchange securities, you will be interested to hear that they have fallen in value about one-half of 1 per cent.—say about £18,000 in round figures—but, on the other hand, the society has made a profit on sales in the year of over £19,000, so that I am glad to say the Stock Exchange securities may be taken as fully of the value they stand at in the account allowing for the profit on investments unappropriated of £19,000, without entrenching to any extent upon the investment reserve fund of £40,694.

The average rate of interest has increased to £4 15s. per cent. This in itself is very satisfactory, but I should like once more to point out that the society can only benefit by slow degrees in the great rise in the earning power of money that has been such a marked effect of the war. A very large proportion of the society's funds is already invested in permanent mortgages, and as it has never been the practice—and even in these times it is not the practice—of the society to vary the terms of existing contracts, it is only as the loans run out that advantage can be taken of the higher rates of interest which capital now commands. I need hardly remind you in this connection how the present high rate of income tax very seriously counteracts any increase in the gross rate of interest.

The Deputy Chairman (Mr. Charles P. Johnson) seconded the motion, which was carried unanimously, and the formal business was transacted.

The Suggested Enlargement of the Society's Powers.

The Chairman then said: We now come to the question alluded to in my letter to the shareholders—namely, the enlargement of the powers of the society with a view to enable us to undertake all classes of business, if we wish to do so, and also power to act as trustees and acquire other general powers now exercised by the composite companies. And, first, I should like to tell the meeting what has been the reply to my circular letter to the shareholders which accompanied the report. I have received expression of approval from shareholders representing 2,940 shares; proxies from shareholders holding 6,193 shares who express no opinion, but who, as a body I imagine, as some of them expressly state, wish to support the board in any decision on this matter the directors may recommend; and from shareholders holding 622 shares I have received expressions of disapproval or a desire to "let well alone." With regard to the second and largest category I should like to say that, much as I and my colleagues value this evidence of the confidence placed in them by their co-proprietors, they would have been still more pleased at a direct expression of opinion in a question of such importance. The directors would have been relieved of much anxious responsibility had this been done. However, I do not propose at this meeting to suggest any decision. That must, I think, be done at an extraordinary general meeting. I am only anxious to ascertain now the opinions of the shareholders on the subject, and I hope, therefore, that those shareholders who have not already done so will at a later date give us a more explicit statement of their views.

Advantages Offered by a Composite Office.

As I stated in my letter already referred to, and which you have no doubt all seen, the directors are disposed to recommend this extension of powers. I am quite free to say that had such a course been suggested a few years ago the board would have, I think, opposed it. We have hitherto thought that the society was large enough and strong enough to hold its own in the fierce competition of modern business. Its agency system was large, carefully built up, and entirely loyal, and so far as actual results go this view has been justified. But, in spite of the large measure of success that has been achieved, we cannot shut our eyes to the advantages that a composite office offers to its supporters, and particularly the advantage there is to the legal profession in being connected with an office which can transact all kinds of business. So far, indeed, we have every reason for satisfaction and perhaps congratulation. There are, in fact, very few offices which transact a larger amount of life business, and none, we think, which gives better results, but we think we must keep ourselves alive to the possibility of a slow but continuous sapping of our agency system due to the competition of the composite offices. As we do life business alone, you can well understand how representatives working for mixed companies have the *entrée* to the offices of our agents with an ease and corresponding advantage which would be impossible did those agents represent us for all classes of business, and it is only natural and to be expected that if, as I know they do, these representatives of other companies make themselves useful and agreeable they obtain life business which would otherwise come to us, very often solely because they are on the spot at the moment and it saves the agent trouble.

Tendency of the Times.

These arguments are especially true of loan business and non-profit business, which, as you know, we are always anxious to cultivate, and which, the former particularly, has been a most important result of our legal connection. There are also numerous classes of risks which

we cannot undertake at present, but which are exceptionally appropriate for a legal board to undertake. Such, for instance, as guarantees connected with missing deeds and numerous other risks constantly arising amongst the profession which will readily suggest themselves to you. Neither can we shut our eyes to the fact that the number of offices confining themselves to one class of business is rapidly decreasing, and this tendency is by no means confined to life companies. Well marked before the war, it has, contrary to all expectation, become intensified since its outbreak, and seems to proceed with increased momentum. The trend is undoubtedly that way, and if what one hears is any indication of the future the tendency will become intensified in the period of reconstruction which is bound to follow the war. Such, gentlemen, is the problem as it appears to your board, and I shall be glad to hear your views upon it.

VIEWS OF PROPRIETORS.

A discussion followed, in the course of which several proprietors expressed hearty agreement with the proposed extension of the society's powers.

Mr. Fowler remarked that there was a general feeling in the insurance world that a company which transacted all classes of business was far better equipped than one confining itself to a particular class. So soon as it became known that the society had decided to convert itself into a composite office he believed there would be an improvement in the market value of its shares.

A proprietor inquired if fire business would be undertaken.

The Chairman stated that that would be the first new class of business to be transacted, and he emphasized the fact that any losses arising from it would not be payable out of the life funds. He remarked that several of the directors had had experience of fire and other classes of business. As to marine insurance, speaking as a proprietor only, he should be against the society embarking on it, at least for the present.

In reply to a question as to whether new capital would be necessary, the Chairman said he did not think so.

Mr. Fowler drew attention to the proprietors' capital of £160,000, observing that they had ample funds for the contemplated new classes of business.

The Chairman pointed out that the society's authorized share capital was £1,000,000, of which £160,000 was paid up, and the balance unpaid could be drawn upon if required.

It was eventually resolved that the board should convene an extraordinary general meeting to consider the question of the enlargement of the society's powers, and any matters relating thereto.

Obituary.

Judge SCOTT FOX, K.C., who resigned the Leeds County Court Judgeship early last month, died on Sunday at his house, 13, Cornwall-gardens, S.W., at the age of sixty-six. The news of his death will be received with much regret on the North-Eastern Circuit, where his personality and his attainments had made him popular. He had been on the County Court Bench since the autumn of 1915, first on the Birkenhead Circuit.

He was educated at the Bedford Grammar School and at University College, Oxford, where, after taking a double first in Moderations and a first class in Classical "Greats," he graduated in 1875. Two years later he was called to the Bar. He took silk in 1898, and in 1905 he was appointed Chancellor of the County Palatine of Durham. From 1903 until his promotion to the County Court Bench he was Recorder of Sheffield.

In the House of Lords on Tuesday, on the motion of the Lord Chancellor, Earl Loreburn, Lord Sanderson, Lord Parmoor, Lord Wrenbury, and Lord Muir Mackenzie were appointed a committee to join with a committee of the House of Commons to consider all Consolidation Bills of the present session.

Legal News.

Appointment.

Mr. CHARLES LEETE ATTENBOROUGH has been appointed to be Recorder of Great Grimsby in place of Mr. Henry William Disney, who has been appointed a Metropolitan Police Magistrate. Mr. Attenborough was called to the Bar in 1891.

Business Change.

The partnership hitherto subsisting between Mr. C. E. Harrison and Mr. F. J. Robinson has been dissolved as from the 31st December last. Mr. F. J. Robinson will carry on business solely under the style of Harrison & Robinson, Lincoln-chambers, Portsmouth-street, Lincoln's Inn-fields, London, W.C. 2, as before.

General.

Miss Adelaide H. Grenside, B.A., of Toronto University, has joined the staff of Messrs. Munton, Morris, King & Co., solicitors and international law agents, with the object of being articled to them as international law agents, to be supplemented by articles under the Solicitors Acts if the profession is thrown open to women. Miss Grenside will also read for the LL.B. of London.

A return, issued as a White Paper (178), of the Supreme Court Prize, &c., Deposit Accounts shews that on 31st March, 1917, the balance was £5,932,978. Vessels, freight, and cargo condemned yielded £3,878,531, and the proceeds of the sale of cargo of vessels not condemned pending adjudication and release, and freight and cost of detention recovered, £3,741,394. The total payments amounted to £3,504,653.

Mr. Bonar Law, in a written reply to Sir W. Bull, says:—Lord Colwyn has consented to act as chairman of the committee to inquire into the question of bank amalgamation. The other members will be Lord Cunliffe, Captain H. Keswick, M.P. for Epsom, the Hon. Rupert Beckett, the Hon. Herbert Gibbs, Sir A. Haworth, Bart., Mr. E. Manville, Mr. H. McGowan, Sir J. Purcell, K.C.B., Mr. J. Rae, Mr. Douglas Vickers, and Sir Richard V. Vassar-Smith, Bt. The terms of reference are: "To consider and report to what extent, if at all, amalgamation between banks may affect prejudicially the interests of the industrial and mercantile community, and whether it is desirable that legislation should be introduced to prohibit such amalgamation or to provide safeguards under which they might continue to be permitted."

Before Mr. Justice Avory, at the Central Criminal Court on Wednesday, says the *Times*, Francis Henry Clark, forty-seven, farm bailiff, on bail, was indicted for personating, with intent to deceive, a juror, Mr. Albert Toley. A second count charged the defendant with taking an oath in the name of Mr. Toley on being sworn as a juror. The defendant was fined 1s., and was ordered to pay the costs of the prosecution. Clark pleaded "Not Guilty." Sir Archibald Bodkin, for the prosecution, having stated the facts, which have already been reported, Mr. Justice Avory said that he should direct the jury that it was not necessary to prove that the defendant had any corrupt motive or that he had anything to gain by his conduct. Mr. Schultess-Young intimated that after the ruling of the judge the defendant would plead "Guilty," but he desired to state expressly that he had no intention of doing anything wrong and that he had no intention of misleading the court. Mr. Justice Avory said that he was quite satisfied that the defendant, who was a man of the highest character, had no corrupt intention whatever. He hoped that it would be understood in his neighbourhood that the defendant still bore the same character as he had borne for integrity and perfect honesty.

Court Papers.

Supreme Court of Judicature.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	EMERGENCY ROTA.	APPEAL COURT No. 1.	Mr. Justice NEVILLE.	Mr. Justice EVE.
Monday March 11	Mr. Borrer	Mr. Bloxam	Mr. Synge	Mr. Farmer
Tuesday 12	Goldschmidt	Borrer	Bloxam	Jolly
Wednesday .. 13	Leach	Goldschmidt	Borrer	Synge
Thursday 14	Church	Leach	Goldschmidt	Bloxam
Friday..... 15	Farmer	Church	Leach	Borrer
Saturday 16	Jolly	Farmer	Church	Goldschmidt

Date.	Mr. Justice SARGANT.	Mr. Justice ASTBURY.	Mr. Justice YOUNGER.	Mr. Justice PETERSON.
Monday March 11	Mr. Jolly	Mr. Church	Mr. Leach	Mr. Goldschmidt
Tuesday 12	Synge	Farmer	Church	Leach
Wednesday .. 13	Bloxam	Jolly	Farmer	Church
Thursday 14	Borrer	Synge	Jolly	Farmer
Friday..... 15	Goldschmidt	Bloxam	Synge	Jolly
Saturday 16	Leach	Borrer	Bloxam	Synge

Creditors' Notices.

Under 22 & 23 Vict. cap. 35.

LAST DAY OF CLAIM.

London Gazette.—TUESDAY, Feb. 26.

ALLENDER, FREDERICK, Bidston, Chester March 31 Barrell & Co, Liverpool
BLOUNDELLE-BURTON, JOHN EDWARD, Upper Richmond rd, Putney March 26 Hewitt, Woollacott & Chown, 158, Leadenhall st
BLOUNT, MARY CATHERINE, Haslemer, Campden Hill March 31 Leslie & Hardy, 17, Bedford row
BREED, EDITH SOPHIA, Earl's Court rd, Kensington March 23 London & Carpenter 31, Budge row, Cannon st
BRIANT, SARAH ELIZABETH, Eastgarston, Berks March 25 W J Phelps & Co, Ramsbury, Wilts
BUTLER, CAPEL DESMOND O'BRIEN, Queenstown, Ireland March 30 Fladgate & Co, 18 and 19, Pall Mall
CHAPMAN, TOM, Swaby, Lincs, Farmer April 3 Sharpley & Son, Louth
CHERRY, WILLIAM, Bournemouth, Surgeon General April 1 Braikenridge & Edwards, 16, Bartlett's bldgs
COOMBS, ELLEN, East Clevedon, Somerset March 30 A Rogers Ford, Weston super Mare
COX, ROSE ANNE, Roedham, Norfolk April 8 Lowe & Co, 2, Temple gdns
DAVIS, WILLIAM, Bristol, Baker March 22 Wansbroughs, Robinson, Taylor & Taylor, Bristol
DAVISON, ELIZABETH, Stocksfield, Northumberland, March 30 J H Nicholson, Hexham
DUNSFORD, FRANK JOHN KEWER, Evering rd, Upper Clapton March 26 Dunkerton & Son, 23, Bedford row
FARNCOMBE, JANE, Seaford March 25 Bedford & Co, Newhaven, Sussex
FOYSTER, ADELAIDE JULIA, Apsley Guise, Bedford March 31 Scudding & Bodkin 23, Gordon st
GELSTHORP, ELZA, Salford March 15 Blair & Seddon, Manchester
GIRLING, ELIZABETH, Southend-on-Sea April 1 Arthur Porter & Crust, Bank House, Romford
HALL, GEORGE, Bolton, Foundry Storekeeper March 27 Russell & Russell, Bolton
HANDS, PHINEAS, Warrington cres, Maida Hill, Foreign Money Changer March 23 John J Hands, 5, Copthall bldgs
HANSON, ELLEN, Reading March 31 Brain & Brain, Reading
HARRIS, HANNAH, Leicester March 25 T A Angrave, Leicester
HOULDSWORTH, Sir WILLIAM HENRY, Kilmarnock, Ayr April 6 Oxford & Sons, Manchester
JENNEY, JOSEPH, Belper, Derby March 30 Walker & Terry, Belper
JONES, MARY, Llandudno March 25 Henderson & Hallmark, Llandudno
LAFONE, Major ALEXANDER MALINS, VC, Knockholt, Kent April 1 Cox & Co, Tower Royal, Cannon st
MCGILL, LILY, Leeds March 13 Scott & Turnbull, Leeds
MOLE HAROLD FREDERIC, Bristol, FRCS April 22 Benson, Carpenter, Cross & Co, Bristol
MOORE, JULIA ANN, Leicester April 9 Owston, Dickinson, Simpson & Bigg, Leicester
MUNRO, JANET, Torquay March 25 Hooper & Wollen, Torquay
NEEDES, LEONARD JAMES, Chatsworth rd, Brondesbury, Jeweller March 30 Flegg & Son, 3, Laurence Pountney hill
ORCHARD, EDITH ANNIE, Lewes, Sussex March 31 Hubert J Hillman, Lewes
ORCHARD, FRANK CLEWES, Lewes, Sussex March 31 Hubert J Hillman, Lewes
PEARSON, EDWARD STANHOPE, North Common rd, Ealing April 5 Farrer & Co, 66, Lincoln's inn fields
POND, GEORGE, Southsea, Taxicab Proprietor April 6 G H King & Francekiss, Portsmouth
POWELL, JESSIE, High st, Tooting March 31 Withers & Co, 4, Arundel st, Strand
ROBERTS, OSBORNE GLYN, De Vere gdns, Kensington March 30 Gair, Roberts & Co, Liverpool
SAMUEL, GEORGE, Louth April 3 Sharpley & Son, Louth
SANDERS, Revd FRANCIS GUNDRY, Bath April 15 Grundy, Izod & Co, 11, Arundel st
SCOTT, EDITH HARRIET, Hayes, Middlesex March 22 Moody & Woolley, Derby
SEYMOUR, THIRZA, Ramsbury, Wilts March 25 W J Phelps & Co, Ramsbury
SILVERTOP, WILLIAM ALEXANDER, Egerton gdns, Piccadilly March 25 Johnson, Raymond-Barker & Co, 9, New sq, Lincoln's inn
SLEEMAN, PHILIP ROWLING, Bristol March 30 Meade-King, Cooke & Co, Bristol
SMITH, MARY ANN, Crystal Palace rd, East Dulwich March 27 William H Mason, Finsbury pvt
VAUGHAN, MARY AGNES, Peterston super Ely, Glamorgan April 1 Stephens, David & Co, Cardiff
WATSON, THOMAS, Manor Park, East Ham, Builder April 1 W R Wood, 33, Chancery ln
WELLER, WILLIAM, Birmingham, Mechanic March 25 Frank Chapman, Smethwick